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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 10, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

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BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday
1:00 PM

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

Wednesday
10:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of June 5, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on June 29, 2012, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 4.132, of a transfer of function between departments within the executive branch. That such reorganization shall become effective 30 days after its issuance, unless disapproved by the Board of Supervisors.

CONSENT AGENDA

Recommendation of the Rules Committee

120615 [Settlement of Lawsuit - Waterfront Watch - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Waterfront Watch against the City and County of San Francisco for \$225,000; the lawsuit was filed on February 23, 2012, in San Francisco Superior Court, Case No. CPF-12-511968; entitled Waterfront Watch, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are establishing a process for review of Pier 29 rehabilitation work, Port technical assistance to reduce air emissions at Pier 27, agreement not to place a Jumbotron on the water in Aquatic Park Lagoon. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

120377 [Business and Tax Regulations Code - Payroll Expense Tax Exclusion for Small Business Net New Payroll - 2012 through 2015]

Sponsors: Farrell; Campos, Chu, Cohen, Elsbernd, Mar and Wiener

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by adding Section 906.5 to permit a Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015.

(Fiscal Impact) .

FINALLY PASSED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 1 - Avalos

Recommendations of the Land Use and Economic Development Committee

120191 [Building Code - Definition of Efficiency Unit]

Sponsor: Wiener

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to July 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120404 [Administrative Code - Urban Agriculture Program]

Sponsors: Chiu; Avalos, Olague, Mar, Cohen and Campos

Ordinance amending the San Francisco Administrative Code by adding Sections 53.1 through 53.4 to: 1) establish an Urban Agriculture Program to oversee and coordinate all of the City's Urban Agriculture activities; and 2) adopt goals for the City related to Urban Agriculture.

Supervisor Chiu, seconded by Supervisor Chu, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120632 [Agreements, Permit, and Lease - Improvements on Portions of Third, Fourth, Owens, and 16th Streets - UCSF Mission Bay]

Sponsors: Cohen; Kim

Ordinance: 1) approving and authorizing a Master Agreement between the City and The Regents of the University of California, on behalf of its San Francisco campus (UCSF) governing various public improvements and other transactions relating generally to Fourth, Owens, Third and Sixteenth Streets in Mission Bay, and approving and authorizing the permit and agreements contemplated by such agreement, including: (a) the issuance of a major encroachment permit granting revocable permission to UCSF to occupy portions of these streets for UCSF improvements and activities, including a Fourth Street public plaza, (b) maintenance agreements for said improvements, (c) an easement agreement for UCSF utilities under Fourth Street between 16th Street and Mission Bay Boulevard South, (d) easement agreements for sidewalk curb ramps, for public pedestrian passage, and City utilities over certain property within the UCSF campus, and (e) a lease of subsurface and air space for UCSF improvements above and below certain segments of Fourth Street between 16th and Mariposa Streets on State Trust property; 2) accepting offers of real property and public improvements along such streets and portions of Mariposa Street for street widening, turning radii and right turn lane purposes; 3) making environmental findings and findings of consistency with the City's General Plan, the eight priority policy findings of Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; 4) accepting Department of Public Works Order No. 180381; and 5) authorizing official acts in connection with this Ordinance.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120591 [Proposed Budget and Annual Appropriation Ordinance FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2012, for the FYs ending June 30, 2013, and June 30, 2014.

(Fiscal Impact)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120592 [Annual Salary Ordinance - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2013, and June 30, 2014, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120593 [Treasure Island Development Authority Budget - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving the budget of the Treasure Island Development Authority for FY2012-2013 and FY2013-2014.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120596 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); absentee voter ballot distribution (Department of Elections); LGBT Anti-violence Education and Outreach Program (District Attorney); central shops security, convention facilities management, and security services (General Services Agency-City Administrator); security services-1680 Mission Street (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); and food services (Sheriff).

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120673 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following service: custodial services (General Services Agency - City Administrator).

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120597 [Police Code - Increase Permit and License Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Police Code Sections 2.26 and 2.27 to: 1) update the fees to reflect prior cost of living adjustments; 2) increase the permit application fee for commercial parking permits; and 3) increase license fees to include cost recovery for the Tax Collector's Office; and making environmental findings.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120604 [Health Code - Patient Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Health Code Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2012.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120606 [Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120607 [Fire Code - Fire Department Service Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Fire Code Section 113.10 and 113.21 to increase fees for certain Fire Department services; and making environmental findings.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120608 [Park Code - Consolidating Golf Course Provisions and Increasing Certain Golf Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code Article 12 to: 1) consolidate golf course provisions into a single series of new Sections 12.12 through 12.12.6; and 2) increase certain fees at San Francisco municipal golf courses; and making environmental findings.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120609 [Park Code - Professional Tennis Lesson Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.41 to: 1) increase rates for professional tennis lessons on park property; and 2) set two-tier pricing based on instructor certification level; and making environmental findings.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120638 [Business and Tax Regulations and Health Codes - Food Product and Marketing Establishment License Fees]**Sponsor: Mayor**

Ordinance amending: 1) the San Francisco Business and Tax Regulations Code Sections 248 and 249.1; and 2) the San Francisco Health Code Sections 440 and 451 relating to fees for food product and marketing establishment licenses issued by the Department of Public Health.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Ordinance be CONTINUED ON FIRST READING to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120595 [Adjusting the Access Line Tax with the Consumer Price Index of 2012]**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2012, and adjusting the Access Line Tax by the same rate.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120598 [Expenditure Plans for the Human Services Care Fund - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving Expenditure Plans for the Human Services Care Fund - FYs 2012-2013 and 2013-2014.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120599 [Contract Modification - Children's Council of San Francisco - Child Care Services - Not to Exceed \$240,869,365]**Sponsor: Mayor**

Resolution approving the contract modification between the City and County of San Francisco and the Children's Council of San Francisco to provide childcare services for the period of July 1, 2012, to June 30, 2017, for an amount not to exceed \$240,869,365.
(Fiscal Impact)

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120600 [Contract - Conard House, Inc. - Housing First Program - Not to Exceed \$19,142,302]

Sponsor: Mayor

Resolution retroactively approving the contract between the City and County of San Francisco and Conard House, Inc., to provide master-leased housing under its Housing First Program to formerly homeless single adults and Money Management Services to frail and elderly senior citizens for the period of April 1, 2012, to June 30, 2017, for an amount not to exceed \$19,142,302.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120602 [Contract - Episcopal Community Services - Safety Net Services - Not to Exceed \$76,016,410]

Sponsor: Mayor

Resolution approving the contract between the City and County of San Francisco and Episcopal Community Services to provide various safety net services to homeless, formerly homeless, and frail and elderly senior citizens in San Francisco for the period from July 1, 2012, to June 30, 2017, for an amount not to exceed \$76,016,410.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120603 [Contract - St. Vincent De Paul Society - Emergency Shelter Services - Not to Exceed \$20,482,985]

Sponsor: Mayor

Resolution approving the contract between the City and County of San Francisco and St. Vincent De Paul Society to provide emergency shelter services to homeless citizens in San Francisco, for the period from July 1, 2012, to June 30, 2017, for an amount not to exceed \$20,482,985.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120605 [Accept and Expend - Department of Public Health Recurring State Grant Funds - FY2012-2013]

Sponsor: Mayor

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2012-2013.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120640 [Expenditures from the Budget Savings Incentive Fund - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving expenditures from the Budget Savings Incentive Fund for one-time purposes in FYs 2012-2013 and 2013-2014.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120641 [Public Education Enrichment Fund - San Francisco Unified School District - FY2012-2013]**Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2012-2013.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120642 [Public Education Enrichment Fund - Children and Families Commission - FY2012-2013]**Sponsor: Mayor**

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2012-2013.

Supervisor Chu, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to July 17, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the City Operations and Neighborhood Services Committee Without Recommendation**120466 [Liquor License Transfer - 101-4th Street]**

Resolution determining that the transfer of an existing Type 20 off-sale beer and wine license from 566 Minnesota Street to 101-4th Street (District 6), to Beth Aboulafia for Target Corporation, dba City Target, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 2, Line 10, by adding 'single' before 'beer'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim, seconded by Supervisor Olague, moved that this Resolution be CONTINUED AS AMENDED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120720 [Hearing - General Obligation Bonds - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]**

Hearing of persons interested in or objecting to the amendments made at the June 21, 2012, Government Audit and Oversight Committee to: 1) the Resolution determining and declaring that the public interest and necessity demand improving the safety and quality of neighborhood parks and waterfront open spaces across the City; finding that the estimated cost of \$195,000,000 for such improvements will require incurring bonded indebtedness; and making environmental findings and findings of consistency with the General Plan (File No. 120531); and 2) the Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters a proposition to incur the bonded debt (\$195,000,000) for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities; and making environmental findings and findings of consistency with the General Plan (File No. 120525). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed legislation as referenced in File Nos. 120525 and 120531. Walter Paulson; shared in song certain concerns relating to this matter. Male Speaker; expressed support for this matter. Juicye Edmund; expressed various concerns. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Recommendations of the Government Audit and Oversight Committee**120525 [General Obligation Bond Election - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]**

Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: \$195,000,000 for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; making environmental findings and findings of consistency with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120531 [General Obligation Bonds - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]

Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague

Resolution determining and declaring that the public interest and necessity demand improving the safety and quality of neighborhood parks and waterfront open spaces across the City, enhancing water quality and cleaning up environmental contamination along the Bay, replacing unsafe playgrounds, fixing restrooms, improving access for the disabled, and ensuring the seismic safety of park and recreation facilities under the jurisdiction of, or maintained by, the Recreation and Park Commission or the jurisdiction of the Port Commission or any other projects, sites or properties otherwise specified in the ordinance submitting this proposal to the voters, and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of \$195,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; making environmental findings and findings of consistency with the General Plan; providing for the City to declare its official intent to reimburse prior expenditures; and waiving the time limits set forth in Administrative Code Section 2.34.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120725 [Hearing - Charter Amendments - Ranked-Choice Voting and Run-Off Elections]

Hearing to consider Charter Amendments to amend the Charter of the City and County of San Francisco by: 1) amending Sections 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for City-wide offices with run-off elections; 2) amending Sections 13.101, 13.102, and Article XVII and by adding Section 13.102.5 to incorporate run-off elections into ranked-choice voting for the office of Mayor; and 3) amending Sections 2.101, 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Charter Amendment as referenced in File Nos. 120219, 120273, and 120274. Judy Belcher; Steve Chessin; Joan Strasser; Jeff; David Cary; Walter Paulson; Dominic Paris; Male Speaker; Steve Hill; Juicye Edmund; expressed concerns relating to the amendments of the proposed Charter Amendment. There were no other speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to July 17, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the Hearing open to July 17, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole.

Committee of the Whole Adjourn and Report

From the Rules Committee Without Recommendation

120219 [Charter Amendment - Replacing Ranked-Choice Voting for City-Wide Offices with Run-Off Elections]

Sponsors: Farrell; Chu, Cohen, Elsbernd, Olague and Wiener

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for City-wide offices with run-off elections.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Charter Amendment be CONTINUED to July 17, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Board

120723 [Charter Amendment - Incorporating Run-Off Elections into Ranked-Choice Voting for Office of Mayor]

Sponsor: Chiu

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.102, and Article XVII and by adding Section 13.102.5 to incorporate run-off elections into ranked-choice voting for the office of Mayor.

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Charter Amendment be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.102, and Article XVII and by adding Section 13.102.5 to incorporate run-off elections into ranked-choice voting for the office of Mayor.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Charter Amendment be **CONTINUED AS AMENDED** to July 17, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120724 [Charter Amendment - Replacing Ranked-Choice Voting for Mayor with Run-Off Elections]

Sponsor: Olague

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections.

Supervisor Farrell, seconded by Supervisor Chiu, moved that this Charter Amendment be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections.

Supervisor Farrell requested to be added as a co-sponsor.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Charter Amendment be **CONTINUED AS AMENDED** to July 17, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 4:00 P.M.**120660 [Tentative Parcel Map Appeal - 800 Presidio Avenue]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 31, 2012, approving a Tentative Parcel Map for 2-unit multi use located at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013. (District 2) (Appellant: Stephen M. Williams on behalf of Neighbors for Fair Planning) (Filed June 11, 2012)

The President inquired as to whether any member of the public wished to address the Board. Male Speaker (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. There were no speakers in support of the appeal. AnMarie Rodgers (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Alice Barkley (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Male Speaker (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120661 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 800 Presidio Avenue]

Motion: 1) making environmental findings and finding the Tentative Parcel Map for a 2-unit multi-use subdivision located at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; 2) approving the decision of the Department of Public Works; and 3) approving the Tentative Parcel Map.

Motion No. M12-080

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120662 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 800 Presidio Avenue]

Motion: 1) making environmental findings and finding that the Tentative Parcel Map for a 2-unit multi-use subdivision at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013, is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; 2) disapproving the decision of the Department of Public Works; and 3) disapproving the Tentative Parcel Map.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120663 [Preparation of Findings Related to Disapprove the Tentative Parcel Map - 800 Presidio Avenue]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit multi-use subdivision at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague was noted absent at 5:32 p.m. and noted present at 6:07 p.m.

Supervisor Campos was noted absent at 5:34 p.m. and noted present at 5:48 p.m.

Supervisor Kim was noted absent at 5:36 p.m. and noted present at 5:48 p.m.

Supervisor Farrell was noted absent at 4:36 p.m. and noted present at 5:51 p.m.

SPECIAL ORDER 4:00 P.M.

120691 [Public Hearing - Appeal of a Final Environmental Impact Report - Beach Chalet Athletic Fields Renovation Project]

Hearing of persons interested in or objecting to the Planning Commission's decisions, dated May 24, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2010.0016E, through its Motion No. 18637, for the proposed renovation of the Beach Chalet Athletic Fields, an approximately 9.4-acre public sports facility located at 1500 John F. Kennedy Drive, along the western edge of Golden Gate Park. The project entails the replacement of existing grass turf fields with synthetic turf, installation of field lighting, renovation of the existing restrooms building, installation of player benches and seating, and construction of other modifications for parking, circulation, and spectator amenities to improve the overall conditions of the facility and increase the amount of play time available on the athletic fields. (District 1) (Appellants: Richard Toshiyuki-Drury on behalf of San Francisco Ocean Edge, Sierra Club-San Francisco Bay Chapter, Golden Gate Audubon, Sunset Park Side Education & Action Committee, the Richmond Community Association, Golden Gate Park Preservation Alliance, and Katherine Howard, ASLA) (Filed June 12, 2012)

The President inquired as to whether any member of the public wished to address the Board. Richard Toshiyuki-Drury (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Kelley Watts; George Wooding; John Sargent; Gabriel Lampert; Barbara Lewindale; Male Speaker; Male Speaker; Lisa Seward; Mark Massara; Nathaniel Stookey; Roland Campos; Male Speaker; Charlotte Hennessy; David Romano; Tehmina Khan; Jason Youngwright; Julie McClips; Male Speaker; Freddie; Belle Lewis; Hiroshi Fukuda; Kathleen McCowan; Suzanne Dumont; Arthur Feinstein; Christine McPharson; Marilyn Kohn; Female Speaker; Mike Lynet; Angeliqua; Kathleen Stern; Female Speaker; Shawna McGrew; Marium Pinchuk; Rupert Clayton; Yope Posthumus; Linda Shaffer; Bill Gallagher; Jean Barish; Terry Roller; Karen Anderson; Susie Gerhard; Eden Mollas; Mark Gould; Male Speaker; Nathan Dan; Steve Begley; Ellen Koivisto; Female Speaker; Emil Lawrence; Sue Ann Landers; Female Speaker; Isabel Wade; Denis Mosgofian; Greg Miller; Female Speaker; Charles Deneff; Andrea O'Leary; Nancy Wuelful; Walter Paulson; Female Speaker; Martha Hoffman; Michelle Welsh; Rob Robbins; Eric Brookes; Peter Warfield; Juicye Edmund; Female Speaker; Anne Clerk; Jeff Hass; Maryanne Miller; Cathryn Howard; spoke in support of the appeal. Don Lewis, Sarah Jones (Planning Department), Dana Ketcham, Dawn Kamalanathan, Dan Mauer (Recreation and Park Department), and Marlena Byrne (City Attorney's Office) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Phil Ginsburg, General Manager, and Dawn Kamalanathan, Dan Mauer (Recreation and Park Department), speaking as project sponsors, provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Greg Suhr, Chief of Police, responded to questions raised throughout the discussion. Dr. Ellie Koss; Lisa Schreiber; Jake; Ben Gordaine; Steve Porlay; Talia; Michaela; Emily; Sarah; Niya; Alex Petintay; David Noe; Juan Gonzalez; Johanna Thomashefski; Female Speaker; Jessica Redwhite; Jona; Martin; John Zawinski; Eric Canton; Wyatt Canton; Kurt Brodenburgh; Kim Brodenburgh; Barbara Elliott; Aaron Pressure; Rich Gallidas; Serio Sullivan; Tim Colton; Tsing Tao; Greg Pullen; Female Speaker; Marcello Rodriguez; Pat Maren; Richard Ross; Abraham Simmons; Cynthia Barbera; Heron Jones; Demay Wong; Steve Szemanivich; Josh Crandle; Jaimie Arbonardo; Ron Dudeum; Prinada Scott; Don Callens; Rich Fern; Jill Landsbury; Male Speaker; Bill Bronson; Leo Cassidy; Donner Cassidy; John McCormick; Joe Dugan; Canal Camacho; Lydie Baffil; Ollie; Female Speaker; Pat Murphy; Collin Schmidt; Matt Weady; spoke in support of the project and in opposition to the appeal. Richard Toshiyuki-Dury (Appellant) provided a rebuttal and further requested the Board to approve the appeal. Marlena Byrne (City Attorney's Office), Phil Ginsburg, General Manager, and Dana Ketchum (Recreation and Park Department), responded to further questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120692 [Affirming FEIR Certification - Beach Chalet Athletic Fields Renovation Project]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project.

Motion No. M12-079

Supervisor Mar, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 1 - Olague

120693 [Reversing FEIR Certification - Beach Chalet Athletic Fields Renovation Project]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project.

Supervisor Mar, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 1 - Olague

120694 [Preparation of Findings to Reverse FEIR Certification - Beach Chalet Athletic Fields Renovation Project]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Beach Chalet Athletic Fields Renovation Project.

Supervisor Mar, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 1 - Olague

SPECIAL ORDER 4:00 P.M.**120696 [Public Hearing - Appeal of a Final Environmental Impact Report - Transit Center District Plan and Transit Tower]**

Hearing of persons interested in or objecting to the Planning Commission's decisions, dated May 24, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.0558E and 2008.0789E, through its Motion No. 18628, for a proposed area plan and associated rezoning of 145 acres roughly bounded by Market Street, Steuart Street, Folsom Street, and a line East of Third Street, and for construction of an office tower up to 1,070 feet tall on the south side of Mission Street between Fremont Street and First Street - Transit Center District Plan and Transit Tower. (Appellant: Sue Hestor on behalf of Save Our Parks Sunlight Coalition) (Filed June 13, 2012)

The President indicated receipt of a letter dated July 6, 2012, from the Appellant withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

TABLED BY OPERATION OF LAW

120697 [Affirming FEIR Certification - Transit Center District Plan and Transit Tower]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Transit Center District Plan and Transbay Joint Power's Authority Transit Tower Project. (Clerk of the Board)

Motion No. M12-078

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120698 [Reversing FEIR Certification - Transit Center District Plan and Transit Tower]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Transit Center District Plan and Transbay Joint Power's Authority Transit Tower Project.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120699 [Preparation of Findings to Reverse FEIR Certification - Transit Center District Plan and Transit Tower]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the Transit Center District Plan and Transit Tower FEIR.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 4:00 P.M.**120726 [Public Hearing - Appeal of the Historic Preservation Commission's Decision on a Certificate of Appropriateness for City Landmarks Nos. 257 (Richardson Hall), 258 (Woods Hall), and 259 (Woods Hall Annex) - 55 Laguna Street]**

Hearing of persons interested in or objecting to the Historic Preservation Commission's decision, dated May 16, 2012, approving the Certificate of Appropriateness identified as Planning Case No. 2012.0033A, by its Motion No. 0157 to rehabilitate Richardson Hall (Landmark No. 257) for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall (Landmark No. 258) for use as housing; and to rehabilitate Woods Hall Annex (Landmark No. 259) for use as a community center located at 55 Laguna Street. (District 8) (Appellant: Cynthia Servetnick on behalf of Save the Laguna Street Campus) (Filed June 15, 2012)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Farrell, seconded by Supervisor Wiener, moved that this Hearing be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the Hearing open to July 31, 2012.

120727 [Approving the Historic Preservation Commission's Approval for Certificate of Appropriateness for City Landmarks Nos. 257 (Richardson Hall), 258 (Woods Hall), and 259 (Woods Hall Annex) - 55 Laguna Street]

Motion approving the Historic Preservation Commission's approval of Motion No. 0157 (Case No. 2012.0033A), Certificate of Appropriateness, pursuant to Article 10 of the Planning Code, to rehabilitate Richardson Hall (Landmark No. 257) for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall (Landmark No. 258) for use as housing; and to rehabilitate Woods Hall Annex (Landmark No. 259) for use as a community center located at 55 Laguna Street, Lot Nos. 001 and 001a in Assessor's Block No. 0857 and Lot Nos. 001, 002, and 003 in Assessor's Block No. 0870.

Supervisor Farrell, seconded by Supervisor Wiener, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120728 [Disapproving the Historic Preservation Commission's Approval for Certificate of Appropriateness for City Landmarks Nos. 257 (Richardson Hall), 258 (Woods Hall), and 259 (Woods Hall Annex) - 55 Laguna Street]

Motion disapproving the Historic Preservation Commission's approval of Motion No. 0157 (Case No. 2012.0033A), Certificate of Appropriateness, pursuant to Article 10 of the Planning Code, to rehabilitate Richardson Hall (Landmark No. 257) for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall (Landmark No. 258) for use as housing; and to rehabilitate Woods Hall Annex (Landmark No. 259) for use as a community center located at 55 Laguna Street, Lot Nos. 001 and 001a in Assessor's Block No. 0857 and Lot Nos. 001, 002, and 003 in Assessor's Block No. 0870. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Wiener, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Eugene Gordon Jr.; expressed various concerns.

Peter Warfield; expressed concerns relating to the SF Public Library and Bernal Heights Library Mural.

Mattie Scott; expressed concerns relating to human services and solving child homicides and violence in the community.

Larry Felson; expressed various concerns.

Male Speaker; expressed various concerns relating to safety threats.

Kathy Collyer; expressed various concerns relating to racism.

Edmond Juicye; expressed various concerns.

Charles Pitts; expressed various concerns relating to community housing.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120545 [Pier 29 Fire - Declaration of Emergency and Authorization for Emergency Contracts]

Sponsors: Mayor; Chiu

Resolution: 1) declaring an emergency under Administrative Code Section 6.60(A) relating to the June 20, 2012, fire at Pier 29; 2) approving emergency contracts entered into by the Port of San Francisco in accordance with Administrative Code Section 6.60; and 3) directing the Port of San Francisco to take all necessary and appropriate measures to perform repair work to Pier 29 in the most expeditious manner.

(Fiscal Impact)

ADOPTED

120652 [Support for Assembly Bill 1856 - Establishment of Required Lesbian, Gay, Bisexual, and Transgender Cultural Competency Trainings for Caregivers of Foster Youth]

Sponsors: Wiener; Campos and Olague

Resolution urging the Mayor and San Francisco Board of Supervisors to support Assembly Bill 1856, which would require caregivers of foster youth to be trained in cultural competency and best practices for providing adequate care for lesbian, gay, bisexual, transgender, queer, and questioning youth.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

120463 [General Plan - 2012 Community Safety Element Update]

Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

06/20/12; RECEIVED FROM DEPARTMENT.

07/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/20/2012.

120689 [Administrative Code - Aviation Support Services/Airport Leases]

Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)

06/29/12; RECEIVED FROM DEPARTMENT.

07/10/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 7/29/2012.

PROPOSED RESOLUTION

120687 [Treasure Island Development Authority Contract Amendment - AMEC Geomatrix, Inc. - Not to Exceed \$2,037,400]

Resolution retroactively approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc., to extend the term through June 30, 2013, and to increase the not to exceed amount to \$2,037,400. (Treasure Island Development Authority)

06/25/12; RECEIVED FROM DEPARTMENT.

07/10/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 11:37 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 17, 2012 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

DAVID CHIU, PRESIDENT

**JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday
1:00 PM

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

Wednesday
10:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

GOVERNMENT
DOCUMENTS DEPT

JUL 19 2012

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, Supervisor Mar was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar was noted present at 2:08 p.m.

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of June 12, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120765 [Formal Policy Discussions - July 17, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing District 1, 3, 9, 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Statewide budget cuts to California's education system have been catastrophic. The San Francisco School District faces up to \$83.8 million in cuts over the next two years, representing a 20% overall decrease in its operating budget. Upcoming summer school offerings are nearly non-existent and class sizes will increase significantly once again next year. 210 layoff notices have been sent to our teachers. We are truly facing a crisis for families with school age children living in San Francisco. Can you tell me what steps your office is taking to help fund San Francisco public schools? (Supervisor Mar, District 1)

2. Four years ago, when I came into office, San Francisco city government had seven email systems when we should have one, three dozen data centers when we should have a handful, and dozens of contracts with the same information technology (IT) vendors when we should have master enterprise agreements. Major IT projects such as JUSTIS, e-Merge, and DBI/Planning permit tracking have been years behind schedule and millions of dollars over budget. Today, the situation has not changed much. At a time when we spend over \$200M a year on IT across dozens of decentralized departments, best practices and numerous city reports have repeatedly confirmed the need to centralize and consolidate IT spending and management. Despite our proximity to Silicon Valley, our city's IT system is stuck in the 1990s. What can we do to bring our city's information technology into the 21st century? (President Chiu, District 3)

3. At the Land Use & Economic Development Hearing on July 9, 2012, the Director of the Health Services System (HSS), Catherine Dodd, explained that California Pacific Medical Center's (CPMC) refusal to charge HSS out of network patients the same rate as HSS in network patients will undermine the competing Accountable Care Organizations (ACO) that she is trying to build. Director Dodd also explained that building the competing ACOs are one of her main strategies to control Health Care Costs for the City. What is your strategy for controlling Health Care Costs given CPMC's unwillingness to follow other San Francisco non-profit hospitals like Dignity Health and UCSF, and charge the same rate for in and out of network HSS patients? (Supervisor Campos, District 9)

4. Since the beginning of the year, the Oceanview, Merced Heights, Ingleside (OMI) neighborhoods in District 11 have experienced a spike in homicides, starting with the brutal murder of a family of five on Howth Street in March. Since that time there have been another four homicides, impacting the African American community. In addition to these murders, there have been accounts of increased violence and shootings throughout the OMI. Not since 2008 has District 11 suffered from this level of violence. In 2009, my office initiated a process to bring together residents, City agencies, youth, and local organizations to foster community development efforts. These have led to better relationships between these sometimes disparate groups, which allowed us to work cooperatively on community grant-making, community driven neighborhood beautification, youth development opportunities, and senior support services. I am interested in working with you collaboratively. What are you doing to immediately address violence in the OMI and what is your vision in the long term to develop the OMI's and especially the African American community's resilience and capacity to address these concerns? Specifically, I am interested in working with you on proposals that do not violate people's 4th Amendment rights as a stop and frisk policy will very likely to do. I will be scheduling a hearing in the Public Safety Committee to discuss the spike in homicides, and I hope that you, your public safety staff, relevant City agencies, and the Police Department will participate and offer ideas for collaborative solutions to the violence. (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

120591 [Proposed Budget and Annual Appropriation Ordinance FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2012, for the FYs ending June 30, 2013, and June 30, 2014.

(Fiscal Impact)

Supervisor Elsbernd, seconded by Supervisor Kim, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE** to increase attrition savings with associated fringe benefits in the Board of Supervisors budget by \$214,000, equivalent in value to two Board Aides and increase the District Project Fund by \$214,000 in the FY2012-2013 budget. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120592 [Annual Salary Ordinance - FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2013, and June 30, 2014, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120593 [Treasure Island Development Authority Budget - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving the budget of the Treasure Island Development Authority for FY2012-2013 and FY2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**120596 [Proposition J Contract/Certification of Specified Contracted-Out Services
Previously Approved]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: budget analyst (Board of Supervisors); absentee voter ballot distribution (Department of Elections); LGBT Anti-violence Education and Outreach Program (District Attorney); central shops security, convention facilities management, and security services (General Services Agency-City Administrator); security services-1680 Mission Street (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); and food services (Sheriff).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**120673 [Proposition J Contract/Certification of Specified Contracted-Out Services
Previously Approved]****Sponsor: Mayor**

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following service: custodial services (General Services Agency - City Administrator).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120597 [Police Code - Increase Permit and License Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Police Code Sections 2.26 and 2.27 to: 1) update the fees to reflect prior cost of living adjustments; 2) increase the permit application fee for commercial parking permits; and 3) increase license fees to include cost recovery for the Tax Collector's Office; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120604 [Health Code - Patient Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Health Code Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2012.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120606 [Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120607 [Fire Code - Fire Department Service Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Fire Code Section 113.10 and 113.21 to increase fees for certain Fire Department services; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120608 [Park Code - Consolidating Golf Course Provisions and Increasing Certain Golf Fees]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code Article 12 to: 1) consolidate golf course provisions into a single series of new Sections 12.12 through 12.12.6; and 2) increase certain fees at San Francisco municipal golf courses; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120609 [Park Code - Professional Tennis Lesson Rates]**Sponsor: Mayor**

Ordinance amending the San Francisco Park Code, Article 12, Section 12.41 to: 1) increase rates for professional tennis lessons on park property; and 2) set two-tier pricing based on instructor certification level; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120638 [Business and Tax Regulations and Health Codes - Food Product and Marketing Establishment License Fees]**Sponsor: Mayor**

Ordinance amending: 1) the San Francisco Business and Tax Regulations Code Sections 248 and 249.1; and 2) the San Francisco Health Code Sections 440 and 451 relating to fees for food product and marketing establishment licenses issued by the Department of Public Health.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120595 [Adjusting the Access Line Tax with the Consumer Price Index of 2012]**Sponsor: Mayor**

Resolution concurring with the Controller's establishment of the Consumer Price Index for 2012, and adjusting the Access Line Tax by the same rate.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120598 [Expenditure Plans for the Human Services Care Fund - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving Expenditure Plans for the Human Services Care Fund - FYs 2012-2013 and 2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120599 [Contract Modification - Children's Council of San Francisco - Child Care Services - Not to Exceed \$240,869,365]**Sponsor: Mayor**

Resolution approving the contract modification between the City and County of San Francisco and the Children's Council of San Francisco to provide childcare services for the period of July 1, 2012, to June 30, 2017, for an amount not to exceed \$240,869,365.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120600 [Contract - Conard House, Inc. - Housing First Program - Not to Exceed \$19,142,302]**Sponsor: Mayor**

Resolution retroactively approving the contract between the City and County of San Francisco and Conard House, Inc., to provide master-leased housing under its Housing First Program to formerly homeless single adults and Money Management Services to frail and elderly senior citizens for the period of April 1, 2012, to June 30, 2017, for an amount not to exceed \$19,142,302.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120602 [Contract - Episcopal Community Services - Safety Net Services - Not to Exceed \$76,016,410]**Sponsor: Mayor**

Resolution approving the contract between the City and County of San Francisco and Episcopal Community Services to provide various safety net services to homeless, formerly homeless, and frail and elderly senior citizens in San Francisco for the period from July 1, 2012, to June 30, 2017, for an amount not to exceed \$76,016,410.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120603 [Contract - St. Vincent De Paul Society - Emergency Shelter Services - Not to Exceed \$20,482,985]**Sponsor: Mayor**

Resolution approving the contract between the City and County of San Francisco and St. Vincent De Paul Society to provide emergency shelter services to homeless citizens in San Francisco, for the period from July 1, 2012, to June 30, 2017, for an amount not to exceed \$20,482,985.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120605 [Accept and Expend - Department of Public Health Recurring State Grant Funds - FY2012-2013]**Sponsor: Mayor**

Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY2012-2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120640 [Expenditures from the Budget Savings Incentive Fund - FYs 2012-2013 and 2013-2014]**Sponsor: Mayor**

Resolution approving expenditures from the Budget Savings Incentive Fund for one-time purposes in FYs 2012-2013 and 2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120641 [Public Education Enrichment Fund - San Francisco Unified School District - FY2012-2013]**Sponsor: Mayor**

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2012-2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120642 [Public Education Enrichment Fund - Children and Families Commission - FY2012-2013]**Sponsor: Mayor**

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2012-2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Government Audit and Oversight Committee

120525 [General Obligation Bond Election - San Francisco Clean and Safe Neighborhood Parks - \$195,000,000]

Sponsors: Mayor; Chu, Mar, Farrell, Chiu, Elsbernd, Wiener, Campos, Cohen, Kim and Olague

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 6, 2012, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: \$195,000,000 for the construction, reconstruction, renovation, demolition, environmental remediation and/or improvement of park, open space, and recreation facilities and all other structures, improvements, and related costs necessary or convenient for the foregoing purposes and paying all other costs necessary and convenient for effectuating those purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefore by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; making environmental findings and findings of consistency with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 - 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

120404 [Administrative Code - Urban Agriculture Program]

Sponsors: Chiu; Avalos, Olague, Mar, Cohen and Campos

Ordinance amending the San Francisco Administrative Code by adding Sections 53.1 through 53.4 to: 1) establish an Urban Agriculture Program to oversee and coordinate all of the City's Urban Agriculture activities; and 2) adopt goals for the City related to Urban Agriculture.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120302 [Accept and Expend Grant - Ferry System Interoperability Enhancements - \$1,495,727]

Sponsor: Elsbernd

Resolution authorizing the Port of San Francisco to accept and expend \$1,495,727 in grant funding consisting of a grant in the amount of \$1,121,795 from the Department of Homeland Security, 2009 Port Security Grant Program for Ferry System Security Interoperability Enhancements at the Port of San Francisco, and \$373,932 from the Metropolitan Transportation Commission as a match.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120530 [Ground Lease - Retention and Expansion of the San Francisco Wholesale Produce Market]

Sponsors: Mayor; Cohen and Chu

Resolution: 1) authorizing a lease of real property and improvements known as the San Francisco Wholesale Produce Market, near 2095 Jerrold Avenue, to the San Francisco Market Corporation, including the lease of the property at 901 Rankin Street; 2) adopting findings pursuant to the California Environmental Quality Act; 3) adopting findings that the transactions contemplated are consistent with the City's General Plan and Eight Priority Policies of the City's Planning Code; and 4) authorizing the City Administrator, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this resolution.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120568 [Accept and Expend Grant - FY2011 Regional Catastrophic Preparedness Grant Program Grant - \$1,281,976]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, serving as the primary grantee for the Regional Catastrophic Preparedness Grant Program (RCPGP) Bay Area Site, and as fiscal agent for the Urban Areas Security Initiative Approval Authority, to retroactively accept and expend a FY2011 RCPGP grant in the amount of \$1,281,976 from the U.S. Department of Homeland Security through the California Emergency Management Agency to enhance emergency planning within the Bay Area region.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120581 [Agreement - Serco, Inc. - Parking Meter Management System - Not to Exceed \$46,410,974]

Resolution authorizing the San Francisco Municipal Transportation Agency to execute an agreement with Serco Inc. for parking meter coin collection, counting, and support services for an amount not to exceed \$46,410,974 and for a term of five years, with an option to extend the term for up to an additional four years. (Municipal Transportation Agency)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120582 [Contract Amendment - Construction Management Services for the Bay Division Region Required for the Water System Improvement Program Projects - \$26,500,000]

Resolution authorizing an amendment to the San Francisco Public Utilities Commission contract CS- 914 for Construction Management Services with Jacobs Engineering Group, Inc., to be provided on projects in the Water System Improvement Program, and authorizing the General Manager to execute this amendment, increasing the agreement by \$1,500,000 for a total agreement amount of \$26,500,000 and adopting findings pursuant to the California Environmental Quality Act. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120611 [Funding Agreement to Fund Acquisition of Nolan Ranch Conservation Easement and Endowment Agreement to Fund Compliance Monitoring of the Conservation Easement]

Resolution: 1) authorizing, pursuant to Charter Section 9.118(b)(i), a Funding Agreement with The Nature Conservancy and Santa Clara County under which the City would contribute one third of the funds, up to \$900,000, for Santa Clara County to acquire the Nolan Ranch and create a conservation easement of which the City would be a third-party beneficiary, and (ii) an Endowment Agreement under which the City would provide a permanent endowment of \$125,000 to fund The Nature Conservancy's monitoring of compliance with the conservation easement; and 2) authorizing the General Manager of the Public Utilities Commission to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120644 [Design Agreement Amendment - Laguna Honda Hospital Replacement Program - \$53,980,239]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program increasing the contract amount from \$51,276,867 to \$53,980,239.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120643 [Liquor License Transfer - 398-12th Street]

Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Kim, seconded by Supervisor Wiener, moved that this Resolution be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

120709 [Issuance and Delivery - Multifamily Housing Revenue Note - 121 Golden Gate Avenue Senior Community Housing - Not to Exceed \$25,370,000]

Sponsor: Kim

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed \$25,370,000 for the purpose of providing financing for the acquisition and construction of a 90-unit multifamily rental housing project known as 121 Golden Gate Avenue Senior Community; approving the form of and authorizing the execution of a funding loan agreement; approving the form of and authorizing the execution of a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving issuance of the note following a public hearing; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the note and the project.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120732 [Reappointment, Planning Commission - Michael Antonini]

Motion approving/rejecting the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 2, 2012.)

Supervisor Cohen, seconded by Supervisor Wiener, moved that this Motion be CONTINUED to July 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120733 [Appointment, Planning Commission - Richard Hillis]

Motion approving the Mayor's nomination of Richard Hillis to the Planning Commission term ending July 1, 2016. (Clerk of the Board)

Motion No. M12-081

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120734 [Reappointment, Planning Commission - Cindy Wu]

Motion approving the President of the Board of Supervisors, Supervisor David Chiu's nomination of Cindy Wu to the Planning Commission term ending July 1, 2016. (Clerk of the Board)
(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 6, 2012)

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to July 24, 2012. The motion FAILED by the following vote:

Ayes: 3 - Cohen, Elsbernd, Farrell

Noes: 8 - Avalos, Campos, Chiu, Chu, Kim, Mar, Olague, Wiener

Motion No. M12-082

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

120725 [Hearing - Charter Amendments - Ranked-Choice Voting and Run-Off Elections]

Hearing to consider Charter Amendments to amend the Charter of the City and County of San Francisco by: 1) amending Sections 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for City-wide offices with run-off elections; 2) amending Sections 13.101, 13.102, and Article XVII and by adding Section 13.102.5 to incorporate run-off elections into ranked-choice voting for the office of Mayor; and 3) amending Sections 2.101, 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Charter Amendment as referenced in File Nos. 120219, 120273, and 120274. Ray Hartz; Chris Bolman; Judy Belcher; Dave Kadlecsek; Joan Strasser; Larry Juicye Edmond; David Kerry; Jack; Christopher Dai; Linda Chapman; Dave Robinson; Emil Lawrence; Richard Winger; Ana Conda; Male Speaker; Walter Paulson; Male Speaker; Male Speaker; Male Speaker; Francisco Da Costa; expressed concerns relating to the amendments of the proposed Charter Amendment. There were no other speakers.

HEARD AND FILED

Committee of the Whole Adjourn and Report

From the Rules Committee Without Recommendation

120219 [Charter Amendment - Replacing Ranked-Choice Voting for City-Wide Offices with Run-Off Elections]

Sponsors: Farrell; Chu, Cohen, Elsbernd, Olague and Wiener

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for City-wide offices with run-off elections.

Supervisor Olague, seconded by Supervisor Farrell, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Board**120723 [Charter Amendment - Incorporating Run-Off Elections into Ranked-Choice Voting for Office of Mayor]****Sponsor: Chiu**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 13.101, 13.102, and Article XVII and by adding Section 13.102.5 to incorporate run-off elections into ranked-choice voting for the office of Mayor.

Supervisor Olague, seconded by Supervisor Farrell, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120724 [Charter Amendment - Replacing Ranked-Choice Voting for Mayor with Run-Off Elections]**Sponsors: Olague; Farrell**

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections 2.101, 13.101, 13.101.5, 13.102, 13.107, and Article XVII and by adding Section 13.102.5 to replace ranked-choice voting for Mayor with run-off elections.

Supervisor Olague, seconded by Supervisor Farrell, moved that this Charter Amendment be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120686 [Hearing - Street Vacation Order - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]**

- Hearing of persons interested in or objecting to the Ordinance: 1) ordering the vacation of Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue, collectively for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; 2) accepting Department of Public Works Order No. 180308; 3) approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Real Estate Division at the time the vacation is final and effective; 4) making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance (File No. 120670). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the street vacation as referenced in File No. 120670. John Updike, Acting Director (Real Estate Division) provided an overview of the street vacation. Francisco Da Costa; expressed concerns relating to the street vacation. There were no other speakers.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Recommendation of the Land Use and Economic Development Committee**120670 [Street Vacation Order - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]****Sponsor: Cohen**

Ordinance: 1) ordering the vacation of Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue, collectively for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; 2) accepting Department of Public Works Order No. 180308; 3) approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Real Estate Division at the time the vacation is final and effective; 4) making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 4:00 P.M.**120622 [Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act (CEQA). The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012).

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to September 4, 2012, at 2:30 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The President CONTINUED the Hearing open to September 4, 2012, at 2:30 p.m.

120263 [Affirming the Exemption Determination - 1100 Lombard Street]

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 4, 2012, at 2:30 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120264 [Reversing the Exemption Determination - 1100 Lombard Street]

Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 4, 2012, at 2:30 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to September 4, 2012, at 2:30 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 4:00 P.M.**120549 [Public Hearing - Appeal of a Final Environmental Impact Report - California Pacific Medical Center Long Range Development Plan Project]**

Hearing of persons interested in or objecting to the Planning Commission's decision, dated April 26, 2012, Certification of a Final Environmental Impact Report identified as Planning Case No. 2005.0555E, through its Motion No. 18588, for the proposed California Pacific Medical Center Long Range Development Plan Project. (Appellant: Law Offices of Gloria D. Smith on behalf of the California Nurses Association/National Nurses United, Council of Community Housing Organizations, Cathedral Hill Neighbors Association, Bernal Heights Neighborhood Center, Jobs with Justice San Francisco, and San Franciscans for Healthcare, Housing, Jobs and Justice.) (Filed May 16, 2012) (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Gloria Smith and Dr. Mark Aaronson (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bernie Choden; Mary; Yanika Brooks; Hiroshi Fukuda; Laka; Maria Lerado; Dr. Amy Kelly; Calvin Welch; Linda Chapman; Michael Lyon; Frank Canata; Barbara Sadiks; Jane Sandoval; Sam Perryman; Linda Harris; Carol Razzi; Male Speaker; Male Speaker; Steve Woo; Ryan Thayer; Marlene Morgan; Rachel Ebor; Zach Warzopolis; Alan Fitzpatrick; Edindo Vasquez; Rosa; Lorenzo Listana; Linda Jimenez; Melissa Vedra; Rosemarie Menzano; Tracy Bahayaho; Jesus Perez; Angelica Cabande; David Elliott Lewis; Pam Ellen; Female Speaker; Alex Tom; Dr. George Wu; Ken Barnes; Dr. Michael Treece; Marlena Menses; Roderick; Lois Scott; Paul Damer; Tes Welborn; Paul Kumar; spoke in support of the appeal. Devyani Jain, Viktoriya Wise, John Rahaim, Director, Sue Mikelsen, and Greg Riessen (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Michael Duncheon, Joshua Steinhauer, Tay Via (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Karen Makely; Dr. Elliott Main; Cynthia Molen; Pedro Zamora; Dr. Lory Wiviott; Amanda Perez; Florence Kong; Male Speaker; Jackson Lloyd; Steve Cavallo; Tony Rodriguez; Rev. Timothy Dupree; Joseph Leoncavallo; Steve Nakajo; Female Speaker; Danny Campbell; Male Speaker; Rick Stevens; Dr. Amor Santiago; Brian Webster; Rev. Arnold Townsend; Ray Jew; Michael Theriault; Bruce Sherant; John Jefferson III; Javier Flores; Sarah Pope; Dr. Jeffrey Garner; John Pangrazio; Male Speaker; Bob Kerrigan; Anni Chung; Tara Rey; Eddie Primstock; Keith Wolff; Male Speaker; Matt Lazando; Ana Lazo; Rick Herrero; Ted Fang; Jed Crawford; Helaine Delanini; Fides Manteuffel; Female Speaker; Manny Flores; Joe Hastings; spoke in support of the project and in opposition to the appeal. Gloria Smith (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendation from the Land Use and Economic Development Committee

120675 [Lease of Real Property - Emergency Management and Assessor-Recorder - 711 Van Ness Avenue]

Sponsor: Chiu

Resolution authorizing the lease of 9,800 sq. ft. at 711 Van Ness Avenue for twenty-one months for the Department of Emergency Management and the Office of the Assessor-Recorder. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Rules Committee Without Recommendation

120554 [Charter Amendment - San Francisco Housing Trust Fund and Housing Production Incentive Act]

Sponsors: Mayor; Wiener, Olague, Kim, Avalos, Mar and Cohen

Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.110 to: 1) create a San Francisco Housing Trust Fund by setting aside general fund revenues beginning in Fiscal Year 2013-2014 and ending in Fiscal Year 2042-2043 to create, acquire and rehabilitate affordable housing and promote affordable home ownership programs in the City; and 2) lower and stabilize the impacts of affordable housing regulatory impositions on private residential projects; and to authorize the development of up to 30,000 affordable rental units in the City under Article 34 of the California Constitution.
(Economic Impact)

Supervisor Wiener, seconded by Supervisor Kim, moved that this Charter Amendment be CONTINUED to July 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Ray Hartz; expressed concerns relating to government.

Walter Paulson; shared in song certain concerns with the Board.

Male Speaker; expressed various religious concerns.

Emil Lawrence; expressed various concerns regarding veterans.

Francisco Da Costa, expressed various concerns regarding Supervisors.

Female Speaker; expressed various concerns.

Male Speaker; expressed concerns regarding etiquette during the Board meeting.

Linda Chapman; expressed concerns regarding the Office of Economic and Workforce Development.

Peter Warfield; expressed concerns relating to the SF Public Library.

Larry Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120761 [Urging the Mayor and Other City Officials Not to Implement a Version of New York City's Stop and Frisk Policy in San Francisco]

Sponsors: Cohen; Chiu, Avalos, Mar and Olague

Resolution urging the Mayor, Board of Supervisors, and other City Officials including the Chief of Police, not to pursue implementing a version of New York City's Stop and Frisk Policy in San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED ORDINANCES

120748 [Settlement of Lawsuit - Maura Molyan and Anne Raskin - \$762,000]

Ordinance authorizing the settlement of a lawsuit filed by Maura Moylan and Anne Raskin against the City County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives for \$762,000; the lawsuit was filed on October 14, 2010, in United States District Court for the Northern District of California, Case No. C10-04700, entitled Maura Moylan and Anne Raskin v. City and County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives. (City Attorney)

07/09/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Rules Committee.

120749 [Settlement of Lawsuit - Candie Mattson - \$100,000]

Ordinance authorizing the settlement of a lawsuit filed by Candie Mattson against the City and County of San Francisco, Parks & Recreation Department and Dennis Kern for \$100,000 reinstatement of sick leave in the amount of 100 hours, and reinstatement of vacation in the amount of 100 hours; the lawsuit was filed on June 14, 2010, in San Francisco Superior Court, Case No. 10-50073, entitled Candie Mattson v. City and County of San Francisco, Parks & Recreation Department and Dennis Kern.

07/09/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120735 [Amendment to Treasure Island South Waterfront Master Lease]

Resolution approving the Twenty Eighth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120736 [Amendment to the Treasure Island Land and Structures Master Lease]

Resolution approving the Thirty Seventh Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120737 [Amendment to the Treasure Island Marina Master Lease]

Resolution approving the Sixteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. Navy to extend the term. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/10/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120738 [Amendment to the Treasure Island Childcare Master Lease]

Resolution approving the Eighth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy extending the term. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120739 [Amendment to the Treasure Island Event Venues Master Lease]

Resolution approving the Twenty Fourth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120740 [Modification of the Cooperative Agreement with the United States Navy]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2012, to September 30, 2013. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

120741 [Amendment to Refuse Collection Agreement at Treasure Island]

Resolution approving an amendment to the refuse collection agreement between the Treasure Island Development Authority and Golden Gate Disposal and Recycling Company to extend the term and adjust the collection fee for refuse collection services at Treasure Island. (Treasure Island Development Authority)

07/02/12; RECEIVED FROM DEPARTMENT.

07/17/12; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 11:54 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 24, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN
ELLSBERND, MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday
1:00 PM

Budget and Finance Sub-Committee
Supervisors Chu, Avalos, Kim

Wednesday
10:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Ellsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Ellsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

GOVERNMENT
DOCUMENTS DEPT

JUL 30 2012

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Farrell was noted absent. There was a quorum.

Supervisor Farrell Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Farrell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Special Board Meeting Minutes of June 18, 2012, at the Budget and Finance Committee Meeting (File Nos. 111255, 120591, 120592, 120593, 120596, 120673, 120640, 120595, 120606), and the Board Meeting Minutes of June 19, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of a referendum petition relating to the Zoning Map Amendment of 8 Washington Street Project, further indicating the petition was forwarded to John Amtz, Director of Elections, to begin the certification process.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

120597 [Police Code - Increase Permit and License Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Police Code Sections 2.26 and 2.27 to: 1) update the fees to reflect prior cost of living adjustments; 2) increase the permit application fee for commercial parking permits; and 3) increase license fees to include cost recovery for the Tax Collector's Office; and making environmental findings.

FINALLY PASSED

120604 [Health Code - Patient Rates]

Sponsor: Mayor

Ordinance amending the San Francisco Health Code Section 128 to set patient rates and other services provided by the Department of Public Health, effective July 1, 2012.

FINALLY PASSED

120606 [Administrative Code - Plan Review and Site Inspection to Ensure Compliance with Federal Disability Laws Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Administrative Code Section 2A.22.1 to revise and increase the fees charged to City administered or City funded construction projects for plan review and site inspection by the Mayor's Office on Disability for compliance with federal disability access laws; and making environmental findings and findings of consistency with the General Plan.

FINALLY PASSED

120607 [Fire Code - Fire Department Service Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Fire Code Section 113.10 and 113.21 to increase fees for certain Fire Department services; and making environmental findings.

FINALLY PASSED

120608 [Park Code - Consolidating Golf Course Provisions and Increasing Certain Golf Fees]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code Article 12 to: 1) consolidate golf course provisions into a single series of new Sections 12.12 through 12.12.6; and 2) increase certain fees at San Francisco municipal golf courses; and making environmental findings.

FINALLY PASSED

120609 [Park Code - Professional Tennis Lesson Rates]

Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, Section 12.41 to: 1) increase rates for professional tennis lessons on park property; and 2) set two-tier pricing based on instructor certification level and making environmental findings.

FINALLY PASSED

120638 [Business and Tax Regulations and Health Codes - Food Product and Marketing Establishment License Fees]

Sponsor: Mayor

Ordinance amending: 1) the San Francisco Business and Tax Regulations Code Sections 248 and 249.1; and 2) the San Francisco Health Code Sections 440 and 451 relating to fees for food product and marketing establishment licenses issued by the Department of Public Health.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee**120670 [Street Vacation Order - San Francisco Wholesale Produce Market - Portions of Jerrold and Kirkwood Avenues, Selby, Rankin, and Milton I. Ross Streets, and Lettuce Lane]**

Sponsor: Cohen

Ordinance: 1) ordering the vacation of Jerrold Avenue between Rankin Street and Toland Street, Milton I. Ross Street between Innes Avenue and Kirkwood Avenue, Kirkwood Avenue between Rankin Street and the proposed boundary of the San Francisco Wholesale Produce Market, Lettuce Lane between Jerrold Avenue and Kirkwood Avenue, portions of Selby Street between Innes Avenue and Kirkwood Avenue, and a portion of Rankin Street between Jerrold Avenue and Innes Avenue, collectively for purposes of the San Francisco Wholesale Produce Market Retention and Expansion, subject to certain conditions; 2) accepting Department of Public Works Order No. 180308; 3) approving an interdepartmental transfer of the area to be vacated from the Department of Public Works to the Real Estate Division at the time the vacation is final and effective; 4) making environmental findings and findings of consistency with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

FINALLY PASSED

Recommendation of the Public Safety Committee**120677 [Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan]**

Sponsors: Mar, Avalos and Olague

Resolution approving the City and County of San Francisco Public Safety Realignment and Post-Release Community Supervision 2012 Implementation Plan.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

120591 [Proposed Budget and Annual Appropriation Ordinance FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2012, for the FYs ending June 30, 2013, and June 30, 2014.

(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120592 [Annual Salary Ordinance - FYs 2012-2013 and 2013-2014]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2013, and June 30, 2014, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendation of the Land Use and Economic Development Committee

120191 [Building Code - Definition of Efficiency Unit]

Sponsor: Wiener

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be **CONTINUED ON FIRST READING** to July 31, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

From the Rules Committee Without Recommendation**120554 [Charter Amendment - San Francisco Housing Trust Fund and Housing Production Incentive Act]**

Sponsors: Mayor; Wiener, Olague, Kim, Avalos, Mar, Cohen and Chiu
Charter Amendment (Fourth Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.110 to: 1) create a San Francisco Housing Trust Fund by setting aside general fund revenues beginning in Fiscal Year 2013-2014 and ending in Fiscal Year 2042-2043 to create, acquire and rehabilitate affordable housing and promote affordable home ownership programs in the City; and 2) lower and stabilize the impacts of affordable housing regulatory impositions on private residential projects; and to authorize the development of up to 30,000 affordable rental units in the City under Article 34 of the California Constitution.

Supervisor Chiu requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Noes: 2 - Chu, Elsbernd

Excused: 1 - Farrell

Recommendation of the Rules Committee**120732 [Reappointment, Planning Commission - Michael Antonini]**

Motion approving/rejecting the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 2, 2012.)

Supervisor Cohen, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to July 31, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120487 [Appropriating \$155,000,000 of Certificate of Participation Proceeds for the Department of War Memorial in FY2012-2013]

Sponsors: Mayor; Olague

Ordinance appropriating \$155,000,000 of Certificate of Participation for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2012-2013.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120540 [Airport Concession Leases - Subway, Jalapeno Grill, Guava & Java, and Mission Bar & Grill]

Resolution approving Amendment No. 2, to Domestic Terminal Food and Beverage Lease No. 03-0185 with Baysubway Airport (Subway); No. 03-0187 with Luna Azul Corporation (Jalapeno Grill); No. 03-0191 with Guava & Java (SFO), Inc. (Guava & Java); and No. 03-0199 with Burger Joint, Inc. (Mission Bar & Grill), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120583 [Real Property Lease Expansion - KLW, LLC - 3120 Mission Street]

Resolution authorizing the amendment of an existing lease at 3120 Mission Street with KLW, LLC, to expand the premises by approximately 5,000 square feet for the Human Services Agency. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

120755 [Establishing Monthly Contribution Amount - Health Service Trust Fund]

Sponsor: Chu

Resolution establishing monthly contribution amount to Health Service Trust Fund.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener
Excused: 1 - Farrell

From the Budget and Finance Sub-Committee Without Recommendation**120754 [Administrative Code - Health Service System Plans and Contribution Rates for Calendar Year 2013]****Sponsor: Chu**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, Part 1, Section 16.703 regarding Board approval of health service system plans and contribution rates.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120681 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**Sponsors: Mayor; Chiu**

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$13 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

(Economic Impact)

Privilege of the floor was granted to Ben Rosenfield, Controller, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Chiu, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.** The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

Supervisor Avalos, seconded by Supervisor Chiu, moved that this Motion be CONTINUED AS AMENDED to July 31, 2012, at 2:30 p.m., with the Board sitting as a Committee of the Whole. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120682 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]

Sponsors: Avalos; Campos, Kim, Mar and Olague

Motion ordering submitted to the voters an: "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$40 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012.

Supervisor Avalos, seconded by Supervisor Wiener, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Noes: 1 - Campos

Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee**120665 [Planning Code - Transit Center District Plan]**

Sponsors: Mayor; Kim and Olague

Ordinance: 1) amending the San Francisco Planning Code by amending and adding sections consistent with the Transit Center District Plan, including the establishment of the Transit Center District Plan open space and transportation fees and the expansion and renaming of the New Montgomery-Mission-Second Street Conservation District, and 2) making findings, including environmental findings and findings of consistency with the General Plan, as proposed for amendment, and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120666 [Zoning Map - Transit Center District Plan]

Sponsors: Mayor; Kim and Olague

Ordinance: 1) amending City and County of San Francisco Zoning Maps Sheets ZN01, HT01, SU01, and PD01 to revise use districts and height and bulk districts within the Transit Center District Plan Area, to place certain properties in the Transit Center C-3-O(SD) Commercial Special Use District, and to add properties into the New Montgomery-Mission-Second Street Conservation District; 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120667 [Administrative Code - Transit Center District Plan Monitoring and Interagency Planning and Implementation Committee]

Sponsors: Mayor; Kim and Olague

Ordinance: 1) amending the San Francisco Administrative Code Section 10E.1 and Sections 36.1 and 36.3 to address Plan monitoring and the Interagency Planning and Implementation Committee role in the Transit Center District Plan public improvements; and 2) making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120685 [General Plan Amendment - Transit Center District Plan]

Ordinance: 1) amending the San Francisco General Plan by adding the Transit Center District Sub-Area Plan to the Downtown Plan and making various amendments to the Downtown Plan, Urban Design Element Commerce and Industry Element, Recreation and Open Space Element, and Transportation Element as part of the establishment of the Transit Center District Plan; and 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1 (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendation of the Rules Committee

120683 [Declaration of Policy - Repealing Corporate Personhood]

Sponsors: Avalos; Campos, Olague and Mar

Motion ordering submitted to the voters a policy declaration that supports limits on political campaign contributions and spending; and opposes artificial corporate rights, and giving corporations the same rights entitled to human beings, at an election to be held on November 6, 2012.

Supervisor Mar requested to be added as a co-sponsor.

Motion No. M12-083

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Chu, seconded by Supervisor Wiener, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Supervisor Chu introduced, welcomed, and presented a Certificate of Honor to Steven Haines and Douglas Goldman of Stern Grove in recognition of Stern Grove Festival's 75th Anniversary, their accomplishments, and continued community support.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to J.M. Jaffe, Esteban Rodriguez, Karlyn Lotney, Jackson Bowman, Tee Tagor, Kathryn Steueman, and Andre Le Blanc of the San Francisco HEALTH Council in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.**120495 [Appeal of Determination of Exemption from Environmental Review - 601 Dolores Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 9, 2012, Case No. 2011.0584E, that a project located at 601 Dolores Street (Assessor Block No. 3598, Lot No. 060) is exempt from environmental review under Categorical Exemption, Class 32 [State CEQA Guidelines Section 15332]. The proposed project involves the conversion of an existing residential use in a former church structure into middle school class rooms and a multi-purpose assembly space and associated interior and exterior changes to the building. (District 8) (Appellant: Jeffrey Goldfarb and Elizabeth Erhardt of Rutan and Tucker, LLP, on behalf of J. Landon Gates and Anne Timmer Gates) (Filed May 9, 2012) (Clerk of the Board)

The President indicated receipt of a letter dated July 24, 2012, from the Appellant withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120496 [Affirming the Exemption Determination - 601 Dolores Street]

Motion affirming the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-085

Supervisor Wiener, seconded by Supervisor Kim, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120497 [Reversing the Exemption Determination - 601 Dolores Street]

Motion reversing the determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Kim, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120498 [Preparation of Findings to Reverse the Exemption Determination - 601 Dolores Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 601 Dolores Street is exempt from environmental review. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Kim, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

SPECIAL ORDER 4:00 P.M.**120646 [Appeal of Conditional Use Authorization - 601 Dolores Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission's April 26, 2012, approval of a Conditional Use Authorization identified as Planning Case No. 2011.0584CV, by its Motion No. 18604, pursuant to Planning Code Sections 209.3(g), 303, and 317, to convert a former church that is currently being used as a single-family dwelling into a private elementary school operated by "Children's Day School", within a RH-3 (Residential House, Three-Family), on property located at 601 Dolores Street, Assessor's Block Assessor's Block No. 3598, Lot No. 060. (District 8) (Appellants: Elizabeth Erhardt of Rutan and Tucker, LLP, on behalf of Lisa Nahmanson and Sandra Steele) (Filed May 29, 2012) (Clerk of the Board)

The President indicated receipt of an agreement dated July 24, 2012, from the Appellant and Project Sponsor regarding the appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120647 [Affirming the Conditional Use Authorization - 601 Dolores Street]

Motion approving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120648 [Reversing the Conditional Use Authorization - 601 Dolores Street; Approving the Conditional Use as Modified by the Board of Supervisors]

Motion disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Motion disapproving the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street, approving the decision of the Planning Commission by its Motion No. 18604, and authorizing conditional use on property located at 601 Dolores Street as modified by the Board of Supervisors on July 24, 2012. (Clerk of the Board)

Motion No. M12-086

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be **APPROVED AS AMENDED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120649 [Preparation of Findings Related to the Conditional Use Authorization - 601 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street. (Clerk of the Board)

Motion No. M12-087

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

COMMITTEE REPORTS

Recommendations of the Rules Committee

120656 [Settlement of Lawsuit - John and Virginia Lai - \$275,000]

Ordinance authorizing settlement of the lawsuit by John and Virginia Lai against the City and County of San Francisco for \$275,000; the lawsuit was filed on December 27, 2010, in San Francisco Superior Court, Case No. CGC-10-506691; entitled John and Virginia Lai, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120657 [Settlement of Lawsuit - Michael Horan - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)

This item was not sent as a Committee Report.

120659 [Settlement of Lawsuit - Gerardo Gonzales Delgado - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Gerardo Gonzales Delgado against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 2, 2010, in San Francisco Superior Court, Case No. CGC-10-502105; entitled Gerardo Gonzales Delgado v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120748 [Settlement of Lawsuit - Maura Molyan and Anne Raskin - \$762,000]

Ordinance authorizing the settlement of a lawsuit filed by Maura Moylan and Anne Raskin against the City County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives for \$762,000; the lawsuit was filed on October 14, 2010, in United States District Court for the Northern District of California, Case No. C10-04700, entitled Maura Moylan and Anne Raskin v. City and County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives. (City Attorney)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120749 [Settlement of Lawsuit - Candie Mattson - \$100,000]

Ordinance authorizing the settlement of a lawsuit filed by Candie Mattson against the City and County of San Francisco, Parks & Recreation Department and Dennis Kern for \$100,000 reinstatement of sick leave in the amount of 100 hours, and reinstatement of vacation in the amount of 100 hours; the lawsuit was filed on June 14, 2010, in San Francisco Superior Court, Case No. 10-50073, entitled Candie Mattson v. City and County of San Francisco, Parks & Recreation Department and Dennis Kern.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120684 [Settlement of Claim - Kimberly Wilson - \$35,000]

Resolution approving a settlement of the unlitigated claim filed by Kimberly Wilson against the City and County of San Francisco for \$35,000; claim was filed on April 11, 2011. (City Attorney)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120744 [Appointment, Board of Appeals - Ann Lazarus]

Sponsor: Mayor

Motion approving the Mayor's appointment of Ann Lazarus to the Board of Appeals for the term ending July 1, 2014.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)

Motion No. M12-084

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120746 [Appointment, Board of Appeals - Kevin Cheng]

Sponsor: Mayor

Motion approving/rejecting the Mayor's appointment of Kevin Cheng to the Board of Appeals for the term ending July 1, 2016.

This item was not sent as a Committee Report.

Recommendations of the Land Use and Economic Development Committee**120241 [Planning Code - Establishing Four Outer Sunset Neighborhood Commercial Districts]****Sponsor: Chu**

Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Outer Sunset Commercial Cluster 1 Neighborhood Commercial District that includes currently zoned NC-2 Noriega Street from 19th through 27th and 30th through 33rd Avenues; 2) adding Section 740.1 to establish the Outer Sunset Commercial Cluster 2 Neighborhood Commercial District that includes currently zoned NC-1 Taraval Street from 40th through 41st Avenues and from 45th through 47th Avenues, Noriega Street from 38th through 39th and 44th through 47th Avenues, Judah Street from 27th through 29th, 38th through 40th, and 44th through 47th Avenues, and Irving Street from 40th through 41st and 45th through 46th Avenues; 3) adding Section 741.1 to establish the Outer Sunset Linear Streets Neighborhood Commercial District that includes currently zoned NC-2 Taraval Street from 19th through 36th Avenues, Judah Street from 29th through 33rd Avenues, and Irving Street from 19th through 27th Avenues; 4) amending Section 724.124 (trade shops) to allow catering, remove horsepower limitations, and allow wholesaling, manufacturing and processing as an accessory use for up to two-thirds of the gross floor area; 5) amending Zoning Map Sheet ZN05 to include the new Neighborhood Commercial Districts; and 6) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120471 [Planning Code - Bicycle Parking; Automotive Service Station Conversions]**Sponsors: Chiu; Mar and Olague**

Ordinance amending the San Francisco Planning Code Sections 102.9, 155.1, 155.4, and 228, et. seq. to: 1) expand the applicability of bicycle parking requirements; 2) exempt bicycle parking from Floor-Area ratio calculations; 3) permit the conversion of Automotive Service Stations located on Primary Transit Streets and Citywide Pedestrian Network Streets to another use without Conditional Use authorization; and 4) adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Olague requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120472 [Planning Code - Clerical Modifications and Repeal of Obsolete Sections]**Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 24, Line 23, by changing '825(b) (7)(A)' to '825(b) (5)(A)'; on Page 39, Line 23, by adding 'and Greening', 'and Vehicle Use'; and on Page 39, Line 24, by deleting 'Section 143, Street Trees'. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120715 [Planning Code - Limited Commercial Uses in Residential Districts]**Sponsors: Chiu; Olague, Campos and Mar**

Ordinance amending the San Francisco Planning Code: 1) Section 186 to allow for reactivation of limited commercial uses in RH, RM, RTO, and RED districts under a conditional use authorization; 2) Section 231 to allow for greater size and depth from the corner for limited corner commercial uses in RM-3 and RM-4 districts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government (See additional information submitted on Page 21.)
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns relating to Muni Route 89.
Walter Paulson; shared in song certain concerns with the Board.
Eugene Gordon, Jr.; expressed various concerns.
Female Speaker; expressed various concerns.
Steven Worsley; expressed concerns relating to Coit Tower.
Female Speaker; expressed concerns relating to student housing.
Female Speaker; expressed concerns relating to operation costs and housing for transgender community.
Nancy Cross; expressed concerns relating to process.
Peter Warfield; expressed concerns relating to the SF Public Library and Bernal Heights Mural Project.
Female Speaker; expressed various concerns.
Larry Juicye Edmond; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120778 [Adoption of the Distributed Consortia-Based Option for the California Health Benefit Exchange Board Call Center]

Sponsor: Avalos

Resolution calling on the California Health Benefit Exchange Board (HBEX) to adopt the Distributed Consortia-Based Option (Option 4) for the HBEX Call Center.

ADOPTED

120653 [Committee of the Whole - Public Hearing on Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on July 31, 2012, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and Fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M12-088

APPROVED

120785 [Suspending Board Rule 4.29 - Scheduling Public Hearing(s) on Appeal(s) at 2:30 p.m. instead of 4:00 p.m. - September 4, 2012, Board Meeting]

Sponsors: Campos; Avalos, Chiu, Cohen, Mar and Olague

Motion suspending Board Rule 4.29 of the Rules of Order of the Board of Supervisors to provide that public hearing(s) on appeal(s) shall be scheduled at 2:30 p.m. instead of 4:00 p.m. at the September 4, 2012, Board Meeting. (Clerk of the Board)

Motion No. M12-089

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 120775 be severed so that it may be considered separately.

120775 [Affirming Commitment to Ensuring the Long Term Viability and Operation of St. Luke's Hospital]

Sponsors: Campos; Cohen, Olague, Chiu, Mar and Avalos

Resolution recognizing the importance of St. Luke's Hospital and emergency room for the Southeastern Neighborhoods of San Francisco and affirming the Board of Supervisor's commitment to working with Mayor Lee, the Department of Public Health, and private hospital corporations that currently operate in San Francisco to ensure the long term viability and operation of this critical institution.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Supervisor Wiener requested that File No. 120777 be severed so that it may be considered separately.

120777 [Transgender Health Care Inclusion in Healthy San Francisco]

Sponsors: Wiener; Olague, Campos, Avalos, Chiu, Cohen, Mar and Kim

Resolution calling on the San Francisco Department of Public Health to provide medically necessary transition-related care for transgender people and to remove exclusions under the San Francisco Health Care Security Ordinance.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

IMPERATIVE AGENDA

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Avalos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120794 [Toy Boat Dessert Café Day - July 24, 2012]

Sponsor: Mar

Resolution commending Toy Boat Dessert Café on the occasion of its 30th Anniversary and declaring July 24, 2012, as Toy Boat Dessert Café Day in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120794. Female Speaker; expressed various concerns. There were no other speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Avalos, seconded by Supervisor Cohen, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Avalos, seconded by Supervisor Cohen, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120795 [Alpha Kappa Alpha Week - July 20-27, 2012]**Sponsors: Avalos; Cohen**

Resolution declaring July 20- 27, 2012, Alpha Kappa Alpha Sorority Week in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 120795. Male Speaker; Female Speaker; Larry Edmund Juicy; spoke in support of the proposed Resolution. There were no other speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

PROPOSED ORDINANCE**120753 [General Plan Amendment - Chinese Hospital Special Use District]**

Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

07/13/12; RECEIVED FROM DEPARTMENT.

07/19/12; NOTICED.

07/24/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:12 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: What the BOS members have received is an article from the Westside Observer by Patrick Monette-Shaw titled "Who Killed Sunshine." The primary "culprit" is shown, but, you all share in the disgrace! "Know Your Rights Under the Sunshine Ordinance" is printed on every agenda for City boards and commissions. One of those rights is to submit a 150-word summary which is supposed to be included "in the minutes." I have 4 Orders of Determination: #10054 (Library Commission), #11054 (City Librarian), #11088 (Ethics Commission), and #11071 (City Attorney), all saying the law means what it says. So, with all of these cases, with all of these referrals, with all of the time passed, what do I have? What all citizens of San Francisco have: a BOS which has shown absolutely no respect for the Constitution, particularly the First Amendment of the Fifth Amendment! Read your oath of office! Shame on you!

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 31, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

AUG - 3 2012

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee

Supervisors Chu, Avalos, Kim, Cohen, Wiener

Wednesday

1:00 PM

Budget and Finance Sub-Committee

Supervisors Chu, Avalos, Kim

Wednesday

10:00 AM

City and School District Select Committee

Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum..

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of June 26, 2012, and the Special Meeting Minutes at the Budget and Finance Committee of June 28, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener
Absent: 1 - Kim

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

120487 [Appropriating \$155,000,000 of Certificate of Participation Proceeds for the Department of War Memorial in FY2012-2013]

Sponsors: Mayor; Olague and Chiu

Ordinance appropriating \$155,000,000 of Certificate of Participation for the Veterans Building Seismic Upgrade and Improvement Project of the Department of War Memorial for FY2012-2013. (Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee**120241 [Planning Code - Establishing Four Outer Sunset Neighborhood Commercial Districts]****Sponsor: Chu**

Ordinance amending the San Francisco Planning Code by: 1) adding Section 739.1 to establish the Noriega Street Neighborhood Commercial District including specified non-residential properties zoned NC-2 along Noriega Street; 2) adding Section 740.1 to establish the Irving Street Neighborhood Commercial District including specified non-residential properties zoned NC-2 along Irving Street; 3) adding Section 741.1 to establish the Taraval Street Neighborhood Commercial District including specified non-residential properties zoned NC-2 along Taraval Street; 4) adding Section 742.1 to establish the Judah Street Neighborhood Commercial District including specified non-residential properties zoned NC-2 along Judah Street; 5) amending Sections 263.20 and 710.10 of the NC-1 Zoning Control Table to include properties zoned NC-1 along Noriega, Irving, Taraval, and Judah Streets; 6) amending Section 790.124 (trade shops) to remove horsepower and square footage limitations and impose operating conditions regarding noise and odor; 7) amending Sheet ZN05 of the Zoning Map to include the new Neighborhood Commercial Districts; and 8) making environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED**120471 [Planning Code - Bicycle Parking; Automotive Service Station Conversions]****Sponsors: Chiu; Mar and Olague**

Ordinance amending the San Francisco Planning Code Sections 102.9, 155.1, 155.4, and 228, et. seq. to: 1) expand the applicability of bicycle parking requirements; 2) exempt bicycle parking from Floor-Area ratio calculations; 3) permit the conversion of Automotive Service Stations located on Primary Transit Streets and Citywide Pedestrian Network Streets to another use without Conditional Use authorization; and 4) adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED**120665 [Planning Code - Transit Center District Plan]****Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending the San Francisco Planning Code by amending and adding sections consistent with the Transit Center District Plan, including the establishment of the Transit Center District Plan open space and transportation fees and the expansion and renaming of the New Montgomery-Mission-Second Street Conservation District, and 2) making findings, including environmental findings and findings of consistency with the General Plan, as proposed for amendment, and Planning Code Section 101.1.

FINALLY PASSED

120666 [Zoning Map - Transit Center District Plan]**Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending City and County of San Francisco Zoning Maps Sheets ZN01, HT01, SU01, and PD01 to revise use districts and height and bulk districts within the Transit Center District Plan Area, to place certain properties in the Transit Center C-3-O(SD) Commercial Special Use District, and to add properties into the New Montgomery-Mission-Second Street Conservation District; 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1.

FINALLY PASSED**120667 [Administrative Code - Transit Center District Plan Monitoring and Interagency Planning and Implementation Committee]****Sponsors: Mayor; Kim and Olague**

Ordinance: 1) amending the San Francisco Administrative Code Section 10E.1 and Sections 36.1 and 36.3 to address Plan monitoring and the Interagency Planning and Implementation Committee role in the Transit Center District Plan public improvements; and 2) making environmental findings.

FINALLY PASSED**120685 [General Plan Amendment - Transit Center District Plan]**

Ordinance: 1) amending the San Francisco General Plan by adding the Transit Center District Sub-Area Plan to the Downtown Plan and making various amendments to the Downtown Plan, Urban Design Element, Commerce and Industry Element, Recreation and Open Space Element, and Transportation Element as part of the establishment of the Transit Center District Plan; and 2) making environmental findings and findings of consistency with the General Plan as proposed for amendment and Planning Code Section 101.1. (Planning Department)

FINALLY PASSED**120715 [Planning Code - Limited Commercial Uses in Residential Districts]****Sponsors: Chiu; Olague, Campos and Mar**

Ordinance amending the San Francisco Planning Code: 1) Section 186 to allow for reactivation of limited commercial uses in RH, RM, RTO, and RED districts under a conditional use authorization; 2) Section 231 to allow for greater size and depth from the corner for limited corner commercial uses in RM-3 and RM-4 districts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

FINALLY PASSED**Recommendations of the Rules Committee****120656 [Settlement of Lawsuit - John and Virginia Lai - \$275,000]**

Ordinance authorizing settlement of the lawsuit by John and Virginia Lai against the City and County of San Francisco for \$275,000; the lawsuit was filed on December 27, 2010, in San Francisco Superior Court, Case No. CGC-10-506691; entitled John and Virginia Lai, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120659 [Settlement of Lawsuit - Gerardo Gonzales Delgado - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Gerardo Gonzales Delgado against the City and County of San Francisco for \$250,000; the lawsuit was filed on August 2, 2010, in San Francisco Superior, Case No. CGC-10-502105; entitled Gerardo Gonzales Delgado v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120748 [Settlement of Lawsuit - Maura Molyan and Anne Raskin - \$762,000]

Ordinance authorizing the settlement of a lawsuit filed by Maura Moylan and Anne Raskin against the City County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives for \$762,000; the lawsuit was filed on October 14, 2010, in United States District Court for the Northern District of California, Case No. C10-04700, entitled Maura Moylan and Anne Raskin v. City and County of San Francisco, Janice Madsen, Kym Dougherty and Heather Grives. (City Attorney)

FINALLY PASSED

120749 [Settlement of Lawsuit - Candie Mattson - \$100,000]

Ordinance authorizing the settlement of a lawsuit filed by Candie Mattson against the City and County of San Francisco, Parks & Recreation Department and Dennis Kern for \$100,000 reinstatement of sick leave in the amount of 100 hours, and reinstatement of vacation in the amount of 100 hours; the lawsuit was filed on June 14, 2010, in San Francisco Superior Court, Case NO. 10-50073, entitled Candie Mattson v. City and County of San Francisco, Parks & Recreation Department and Dennis Kern.

FINALLY PASSED

120722 [Appointment, San Francisco Sentencing Commission - Theshia Naidoo]

Motion appointing Theshia Naidoo, term to be determined, to the San Francisco Sentencing Commission, residency requirement waived. (Clerk of the Board)

Motion No. M12-090

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

- 120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

- 120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

- 120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]**
Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Olague, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

Supervisor Kim was noted present at 2:07 p.m.

From the Budget and Finance Sub-Committee Without Recommendation**120754 [Administrative Code - Health Service System Plans and Contribution Rates for Calendar Year 2013]****Sponsor: Chu**

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article XV, Part 1, Section 16.703 regarding Board approval of health service system plans and contribution rates. (Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the City Operations and Neighborhood Services Committee Without Recommendation**120466 [Liquor License Transfer - 101-4th Street]**

Resolution determining that the transfer of an existing Type 20 off-sale beer and wine license from 566 Minnesota Street to 101-4th Street (District 6), to Beth Aboulafia for Target Corporation, dba City Target, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 1, Line 24 by replacing '8:00 am and 11:00 pm' with '7:00 am and 10:00 pm'; on Page 1, Line 25 by replacing '8:00 am' with '7:00 am'; and on Page 2, Line 15 by replacing '(8)' with '(7)'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED AS AMENDED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Olague

Recommendations of the Land Use and Economic Development Committee**120472 [Planning Code - Clerical Modifications and Repeal of Obsolete Sections]****Sponsor: Chiu**

Ordinance amending the San Francisco Planning Code by: 1) repealing obsolete Sections 187, 249.15, 263.2, and 263.3; and 2) amending Sections 102.5, 121.3, 201, 204.2, 209.9, 249.49, 309.1, 799, and 899 to make various clerical modifications; and adopting environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120191 [Building Code - Definition of Efficiency Unit]**Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FIRST READING to September 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Avalos, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED ON FIRST READING to September 25, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee**120732 [Reappointment, Planning Commission - Michael Antonini]**

Motion approving/rejecting the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016. (Clerk of the Board)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - July 2, 2012.)

Supervisor Elsbernd, seconded by Supervisor Chu, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 6 - Chu, Cohen, Elsbernd, Farrell, Olague, Wiener

Noes: 5 - Avalos, Campos, Chiu, Kim, Mar

Motion approving the Mayor's nomination of Michael Antonini to the Planning Commission term ending July 1, 2016. (Clerk of the Board)

Motion No. M12-091

APPROVED AS AMENDED by the following vote:

Ayes: 6 - Chu, Cohen, Elsbernd, Farrell, Olague, Wiener

Noes: 5 - Avalos, Campos, Chiu, Kim, Mar

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

120407 [Business and Tax Regulations, Police Codes - Parking Tax Exemption for Special Parking Events Operated by Volunteers on SFUSD Property]

Sponsors: Mayor; Mar, Wiener, Chiu, Farrell, Chu, Olague, Kim, Campos, Cohen and Avalos
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 9, Section 604, and adding Section 608, to exempt a limited number of special parking events operated by volunteer led nonprofit organizations on SFUSD property for the sole benefit of San Francisco public schools and earning less than \$10,000 in gross revenue per event from rent, from the requirement to pay parking tax and other requirements, establishing Special School Parking Event Permits issued by the Tax Collector and making findings; and amending the San Francisco Police Code, Section 1215 to exclude from the definitions of Parking Garage and Parking Lot special event parking on SFUSD property operated by a qualified nonprofit pursuant to a Special School Parking Event Permit, and establishing a sunset date.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120452 [International Terminal Equipment Maintenance and Operating Agreement - San Francisco Terminal Equipment Company, LLC - Not to Exceed \$18,000,000]

Resolution approving the International Terminal Equipment Maintenance and Operating Agreement between the San Francisco Terminal Equipment Company, LLC, and the City and County of San Francisco, acting by and through its Airport Commission, retroactively to July 1, 2012, for an amount not to exceed \$18,000,000. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120453 [Agreement Amendment - Western States Oil - Not to Exceed \$107,500,000]

Resolution approving the Sixth Amendment to the agreement between the City and Western States Oil increasing the total not to exceed amount of the contract from \$78,300,000 to \$107,500,000 pursuant to Charter Section 9.118(b). (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120546 [Accept and Expend Grant - GreenFinanceSF - \$1,000,000]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend an American Recovery and Reinvestment Act of 2009 funded grant in the amount of \$1,000,000 from the California Energy Commission's State Energy Program through the Local Government Commission to support GreenFinanceSF.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120547 [Contract Amendment - Community Awareness and Treatment Services - \$35,699,175]**Sponsor: Mayor**

Resolution retroactively amending the contract between the San Francisco Department of Public Health and Community Awareness and Treatment Services, Inc., for behavioral health services to \$35,699,175.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120585 [Real Property Sublease - 1440 Harrison Street Development Group, LLC - 1440 Harrison Street]

Resolution authorizing the exercise of a five year option to extend the Sublease of the 52,200 square foot building at 1440 Harrison Street for the Human Services Agency, retroactively to July 1, 2012. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120610 [Declaration of Emergency Contract - South Fork Adit - Not to Exceed \$115,250]

Resolution approving Declaration of Emergency Construction Contract of an amount not-to-exceed \$115,250 to address a rockslide near South Fork Adit. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120630 [Contract between the Department of Public Health and the San Francisco Community Health Authority to Provide Provider Payment Services for the Healthy San Francisco Program - \$30,940,000]**Sponsor: Mayor**

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to retroactively contract with the San Francisco Community Health Authority to provide Provider Payment services for the Healthy San Francisco Program from July 1, 2012, through June 30, 2014, for an amount of \$30,940,000.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120658 [Agreement Amendment - Recology - Refuse Collection - Not to Exceed \$33,120,262]

Resolution approving the Fourth Amendment to the Refuse Collection Agreement between the City and County of San Francisco, Recology San Francisco, Recology Golden Gate, and Recology Sunset Scavenger, increasing the total not to exceed amount of the Agreement from \$28,059,629 to \$33,120,262 under Charter Section 9.118(b). (Purchaser)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120687 [Contract Amendment - Treasure Island Development Authority - AMEC Geomatrix, Inc. - Not to Exceed \$2,037,400]

Resolution retroactively approving an amendment to the contract between the Treasure Island Development Authority and AMEC Geomatrix, Inc., to extend the term through June 30, 2013, and to increase the not to exceed amount to \$2,037,400. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120741 [Agreement Amendment - Treasure Island Refuse Collection]

Resolution approving an amendment to the refuse collection agreement between the Treasure Island Development Authority and Golden Gate Disposal and Recycling Company to extend the term and adjust the collection fee for refuse collection services at Treasure Island. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120756 [Accept and Expend Grant - Local Juvenile Justice Accountability Measures - \$117,819]

Sponsor: Campos

Resolution authorizing the San Francisco Public Defender's Office to accept and expend a grant in the amount of \$117,819 from the State Corrections Standards Authority for the purposes of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120757 [Multifamily Housing Revenue Note - Ridgeview Terrace Apartments - 140 Cashmere Street - Not to Exceed \$20,000,000]

Sponsor: Cohen

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed \$20,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 101-unit multifamily residential rental housing project known as Ridgeview Terrace Apartments located at 140 Cashmere Street; approving the form of and authorizing the execution of a funding loan agreement; approving the form of and authorizing the execution of a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving issuance of the note following a public hearing; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this resolution; and ratifying and approving any action heretofore taken in connection with the note and the project.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120758 [Contract Modification - Tenderloin Housing Clinic - Master Lease Housing Services - Not to Exceed \$91,070,856]**Sponsor: Mayor**

Resolution retroactively approving the contract modification between the City and County of San Francisco and the Tenderloin Housing Clinic to provide master lease housing for formerly homeless single adults and the addition of the Mayfair Hotel for the period of July 1, 2009, to June 30, 2015, in the amount of \$91,070,856.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120760 [Accept and Expend Grant - Implementing New Directions in HIV Prevention - \$545,759]**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$545,759 from Public Health Foundation Enterprises, Inc., to participate in a program entitled "Implementing New Directions in HIV Prevention in San Francisco: A Comprehensive" for the period of September 30, 2011, through September 29, 2012.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120762 [Accept and Expend Grant - Addressing Syndemics through Program Collaboration and Service Integration - \$298,144]**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$298,144 from Public Health Foundation Enterprises, Inc., to participate in a program entitled "Addressing Syndemics through Program Collaboration and Service Integration" for the period of September 30, 2011, through September 29, 2012.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Sub-Committee Committee Without Recommendation**120674 [Accept and Expend Grant - Archstone Grant to the San Francisco Arts Commission - \$300,000]****Sponsor: Cohen**

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of \$300,000 from Archstone for the commissioning of public artwork for Daggett Park in Showplace Square neighborhood.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

111047 [Administrative, Campaign and Governmental Conduct Codes - Obligations of Landlords and Small Business Tenants for Disability Access Improvements]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Administrative Code by adding Chapter 38, Sections 38.1 through 38.7, and amending San Francisco Campaign and Governmental Conduct Code Section 3.400, all to require commercial landlords leasing properties to small businesses for use as public accommodations to: 1) bring public restrooms, ground floor entrances to, and exits from, the building into compliance with applicable state and federal disability access laws or to disclose to tenants that the property may not currently meet all applicable construction-related accessibility standards, including standards for public restrooms and ground floor entrances and exits; 2) inform small business tenants that they may be legally and financially liable for failing to comply with those laws and offer such tenants copies of the Small Business Commission's access information notice; 3) include in any new or amended leases a provision addressing the respective obligations of the landlord and small business tenant to bring the leased premises into compliance with those access laws; 4) requiring the Small Business Commission, by January 1, 2013, to develop and distribute an access information notice in multiple languages regarding local, state, and federal disability access laws that may apply to businesses in San Francisco and to make that notice available for distribution through various other City departments; and 5) to require the City to give priority to building permit applications for work to bring space used by small businesses into compliance with those access laws; and making environmental findings.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

111374 [Planning Code - Creating a New Definition of Student Housing]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 124 to create a new subsection (k), to permit additional square footage above the floor area ratio limits for student housing projects in buildings in the C-3-G and C-3-S Districts, that are not designated as significant or contributory pursuant to Article 11; 3) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 4) amending Section 207.6(b)(3) to exempt student housing from the unit mix requirement in RTO, NCT, DTR and Eastern Neighborhoods Mixed Used Districts; 5) amending Section 307 to permit the conversion of student housing into residential uses, when certain conditions are met; 6) amending Section 312 to require notice for a change of use to group housing; 7) amending Section 317 to prohibit the conversion of residential units into student housing, except in specified circumstances; 8) amending Section 401 to make conforming amendments; 9) amending Section 415.3 to make conforming amendments and to simplify the monitoring responsibilities of the Mayor's Office of Housing; 10) amending Tables 814, 840, 841, 842, and 843 to make conforming amendments; and 11) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

Privilege of the floor was granted to John Rahaim, Director, Planning Department, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to September 4, 2012. The motion FAILED by the following vote:

Ayes: 3 - Avalos, Campos, Kim

Noes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Noes: 2 - Avalos, Kim

120528 [Administrative, Planning Codes - Historical Property (Mills Act) Contracts and Fee Reduction]

Sponsor: Wiener

Ordinance: 1) amending the San Francisco Administrative Code, Chapter 71, entitled "Mills Act Contract Procedures" to: a) amend Section 71.2 to add limitations on eligibility, b) amend Section 71.3 to add application deadlines, c) amend Section 71.4 to add a time limit for receipt of the Assessor-Recorder's report, d) amend Section 71.5 to require use of a standard form contract, and e) adding new Section 71.7 to require departmental monitoring reports; 2) amending the San Francisco Planning Code Section 356 to reduce the application fee for Mills Act contracts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

120668 [Health Code - Reauthorizing Food Security Task Force]

Sponsor: Mar

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2 to: 1) to reauthorize the Food Security Task Force, which had expired on January 30, 2012; 2) create sunset provisions for the Food Security Task Force expiring on July 1, 2015, subject to extension; 3) identify the agencies and organizations from which members are appointed; and 4) set the number of members, and making findings, including environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120743 [Confirming Appointment, Port Commission - William Adams]

Sponsor: Mayor

Motion confirming the appointment of William Adams to the Port Commission, term ending May 1, 2014.

Motion No. M12-093

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120745 [Appointment, Board of Appeals - Frank Fung]**Sponsor: Mayor**

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2016.

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - June 25, 2012)

Motion No. M12-094

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 2:30 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120807 [Hearing - Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**

Hearing to consider amendments to the Initiative Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax at an election to be held on November 6, 2012. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the amendments of the proposed Initiative Ordinance. Jim Lazarus; Burt Herman; Corey Marshall; Male Speaker; spoke in support of the proposed Initiative Ordinance. Eugene Gordon, Jr.; expressed various concerns relating to government. Walter Paulson; shared in song certain concerns relating to taxes. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120681 [Initiative Ordinance - Business and Tax Regulations Code - Enact Gross Receipts Tax and Phase Out Payroll Expense Tax]**Sponsors: Mayor; Chiu and Avalos**

Motion ordering submitted to the voters an "Ordinance amending the Business and Tax Regulations Code to: 1) enact a new Article 12-A-1 (Gross Receipts Tax Ordinance) to impose a gross receipts tax and an administrative office tax on persons engaging in business activities in San Francisco; 2) amend Article 12-A (Payroll Expense Tax Ordinance) to reduce business payroll expense tax rates based on the amount of gross receipts tax collected under Article 12-A-1 (Gross Receipts Tax Ordinance); 3) amend Article 12 (Business Registration Ordinance) to establish business registration fees based on gross receipts and amend the current business registration fees to generate approximately \$28.5 million in estimated additional revenue; 4) amend Article 12-A (Payroll Expense Tax Ordinance) to add a sunset date to the surplus business tax revenue credit; and 5) amend Article 6 (Common Administrative Provisions) to establish requirements for filing a tax return under Article 12-A-1 (Gross Receipts Tax Ordinance), establish penalties for non-filing, and amend the requirements for filing payroll expense tax returns and penalties for non-filing to conform to the new gross receipts tax" at an election to be held on November 6, 2012. (Economic Impact)

Privilege of the floor was granted to Harvey Rose, Budget and Legislative Analyst, who responded to questions raised throughout the discussion.

Motion No. M12-092**APPROVED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120654 [Public Hearing - Special Assessment of Liens for Assessment of Cost]**

Hearing of persons interested in or objecting to the proposed Resolution confirming report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Rosemary Bosque (Department of Building Inspection) provided an overview of the assessments. Judy Bishop (4801-3rd Street); Male Speaker; spoke objecting to the proposed assessments. Walter Paulson; shared in song certain concerns relating to code enforcement. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED**Committee of the Whole Adjourn and Report**

120655 [Special Assessment of Liens for Assessment of Cost]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of Costs thereof having accrued pursuant to code violations referenced above. (Building Inspection Commission)

Alan Davison (Department of Public Works) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment:

4801-3rd Street;

518 Bryant;

709 Lyon;

2138 Mission.

The amendments to the accompanying report, as provided by the Department of Public Works, included in File No. 120655, were received without objection.

ADOPTED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Commissioner Ron Miguel of the Planning Commission in recognition of his service during his tenure as a Planning Commissioner, his accomplishments, and continued community support. Supervisors Olague, Mar, Cohen, Campos, and Chiu shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to the Chinese Progressive Association on the occasion of their 40th anniversary, their accomplishments, and continued community support. Supervisor Chiu shared in this commendation.

Supervisor Mar introduced, welcomed, and presented Certificates of Honor to Joanne Low, Vice Chancellor of City College and Minh Hoa Ta, Dean of Chinatown/North Beach Campus, in recognition of their service and work relating to City College and higher education, their accomplishments, and continued community support. Supervisor Chiu shared in these commendations.

Supervisor Olague introduced, welcomed, and presented Certificates of Honor to Bobbie Webb and Marion Sullivan of the Fillmore District in recognition of their contributions to improve the Fillmore District jazz music scene, accomplishments, and continued community support.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to William Thomason, Founder and Instructor, of the Wall Street Wizards Financial Literacy Program in recognition of his accomplishments and continued community support. Members of the program shared in this commendation.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Andrew McKinley, Founder and Operator, of the Adobe Bookstore in recognition of his accomplishments and continued community support. Supervisor Olague shared in this commendation.

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Ana Valenzuela and Salvador Cordon in recognition of Salvadoran Day, their accomplishments, and continued community support.

SPECIAL ORDER 4:00 P.M.

Supervisor Olague was noted absent at 5:02 p.m. and noted present at 5:22 p.m.

120726 [Public Hearing - Appeal of the Historic Preservation Commission's Decision on a Certificate of Appropriateness for City Landmarks Nos. 257 (Richardson Hall), 258 (Woods Hall), and 259 (Woods Hall Annex) - 55 Laguna Street]

Hearing of persons interested in or objecting to the Historic Preservation Commission's decision, dated May 16, 2012, approving the Certificate of Appropriateness identified as Planning Case No. 2012.0033A, by its Motion No. 0157 to rehabilitate Richardson Hall (Landmark No. 257) for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall (Landmark No. 258) for use as housing; and to rehabilitate Woods Hall Annex (Landmark No. 259) for use as a community center located at 55 Laguna Street. (District 8) (Appellant: Cynthia Servetnick on behalf of Save the Laguna Street Campus) (Filed June 15, 2012)

The President inquired as to whether any member of the public wished to address the Board. Mike Boyd (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Walter Paulson; shared in song various concerns to landmarks. Edmund Juicye Larry; expressed various concerns. Tim Frye (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Steve Vettel (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. The Appellant provided no rebuttal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120727 [Affirming Approval of a Certificate of Appropriateness for Proposed Rehabilitation of Richardson Hall, Woods Hall, and Woods Hall Annex]

Motion affirming the approval by the Historic Preservation Commission of a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center.

Motion No. M12-097

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

120728 [Reversing Approval of a Certificate of Appropriateness for Proposed Rehabilitation of Richardson Hall, Woods Hall, and Woods Hall Annex]

Motion reversing the approval by the Historic Preservation Commission of a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

120731 [Preparation of Findings to Reverse Approval of a Certificate of Appropriateness for Proposed Rehabilitation of Richardson Hall, Woods Hall, and Woods Hall Annex]

Motion directing the Clerk of the Board to prepare findings to reverse the approval by the Historic Preservation Commission of a Certificate of Appropriateness to rehabilitate Richardson Hall for use as senior services, senior housing, and retail and/or office space; to rehabilitate Woods Hall for use as housing; and to rehabilitate Woods Hall Annex for use as a community center. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

SPECIAL ORDER 4:00 P.M.

120766 [Public Hearing - Conditional Use Appeal - 3901-24th Street]

Hearing of persons interested in or objecting to the decision of the Planning Commission's by its Motion No. 18648 dated June 14, 2012, approving a Conditional Use Authorization identified as Planning Case No. 2011.1372C, under Planning Code Sections 728.49 and 790.110 to convert a vacant ground floor commercial space into a financial service (d.b.a. First Republic Bank) within the 24th Street - Noe Valley Neighborhood Commercial District and a 40-X Height and Bulk District and adopting findings under the California Environmental Quality Act on property located at 3901-24th Street, Assessor's Block No. 6508, Lot No. 001. (District 8) (Appellant: Leslie Crawford and subscribed by Supervisors Wiener, Olague, Avalos, Mar, and Chiu) (Filed July 12, 2012) (Clerk of the Board)

The President indicated receipt of a letter from the Project Sponsor, dated July 30, 2012, withdrawing their application for conditional use. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120767 [Approving Planning Commission Decision Related to Conditional Use Authorization - 3901-24th Street]

Motion approving decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120768 [Disapproving Planning Commission Decision Related to Conditional Use Authorization - 3901-24th Street]

Motion disapproving decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M12-095

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120769 [Preparation of Findings Related to the Conditional Use Authorization - 3901-24th Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street. (Clerk of the Board)

Motion No. M12-096

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

City Operations and Neighborhood Services Committee

120643 [Liquor License Transfer - 398-12th Street]

Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

This item was not sent as a Committee Report.

Recommendation of the Government Audit and Oversight Committee**120708 [Grant Agreement - Local Operating Subsidy Program at the Arlington Hotel - Not to Exceed \$9,354,007]****Sponsors: Mayor; Kim**

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with Mercy Housing California XL, LP, to provide operating subsidies for formerly homeless single adults at the Arlington Hotel for the period of August 1, 2012, to July 31, 2027, in an amount not to exceed \$9,354,007.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

120671 [Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements]**Sponsor: Wiener**

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 1279.2, 1280, 1280.1, 1281, and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers.

This item was not sent as a Committee Report.

Recommendation of the Land Use and Economic Development Committee**120618 [Accept and Expend Gift - Polo Fields Maintenance - \$100,000]****Sponsor: Mar**

Resolution authorizing the Recreation and Park Department to accept and expend a gift from the Baker Street Foundation for \$100,000 for the salary of a gardener at the Polo Fields in Golden Gate Park for at least a year.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Olague was noted absent at 6:02 p.m. and noted present at 7:17 p.m.

Supervisor Farrell was noted absent at 6:10 p.m. and noted present at 6:39 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

Mattie Scott; expressed concerns relating to violence in the community.

James Chaffee; expressed concerns relating to the SF Public Library.

Female Speaker; spoke in support for City College.

Bertha Cauty; spoke in support for City College.

Bouchra Simmons; spoke in support for City College.

Charles; expressed support for KPOO funding.

David Waggoner; expressed various concerns relating to the official misconduct process.

Male Speaker; expressed various religious concerns.

Jeff Crook; expressed concerns relating to health care.

Male Speaker; expressed concerns relating to organized crime and local government.

Walter Paulson; shared in song certain concerns with the Board.

Emil Lawrence; expressed various concerns.

Peter Warfield; expressed concerns relating to the SF Public Library and Bernal Heights Branch Library Mural Project.

Female Speaker; expressed various concerns.

Female Speaker; spoke in support for City College.

Teresa; spoke in support for City College.

William Walker; spoke in support for City College.

Male Speaker; expressed various concerns.

Antonio Mims; spoke in support for City College and gift acceptances.

Male Speaker; expressed various concerns.

Kathe Burick; spoke in support for City College.

Beth Seligman; spoke in support for City College.

Douglas Yepp; expressed various concerns.

Female Speaker; expressed various concerns relating to the official misconduct process.

Sylvia Ramirez; expressed various concerns relating to the official misconduct process.

Vivian Imperiale; expressed various concerns relating to the official misconduct process.

Jenny Zhang; expressed concerns relating to the recent Chinatown attacks.

Female Speaker; expressed concerns relating to the recent Chinatown attacks.

Male Speaker; expressed concerns relating to the recent Chinatown attacks.

Female Speaker; expressed concerns relating to the recent Chinatown attacks.

Male Speaker; expressed concerns relating to the recent Chinatown attacks.

Ana Soto; expressed various concerns relating to the official misconduct process.

Male Speaker; expressed various concerns relating to the official misconduct process.

Rebeca Zavaleta; expressed various concerns relating to the official misconduct process.

Tammy Bryant; expressed concerns relating to violence in the community and the official misconduct process.

Lee Wynn; expressed various concerns.

Flora Ramos; expressed various concerns relating to the official misconduct process.

Pastor Gavin; expressed various concerns.

Carlos; spoke in support for City College.

Sue Grissom; expressed various concerns relating to the official misconduct process.

Larry Juicye Edmund; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120797 [Community Gardening Weekend - August 9-12, 2012]

Sponsor: Chiu

Resolution welcoming the members of the American Community Gardening Association to San Francisco for their 33rd National Conference and proclaiming August 9-12, 2012, as Community Gardening Weekend in the City and County of San Francisco.

ADOPTED

120798 [Consolidation of Elections Scheduled for November 6, 2012]

Sponsor: Chiu

Resolution consolidating the State General Election to be held in the City and County of San Francisco on November 6, 2012, with the City and County of San Francisco Municipal Election, San Francisco Unified School District Board of Education Election, City College of San Francisco Governing Board Election, City and County of San Francisco Special Bond Election, Bay Area Rapid Transit (BART) District Election, and San Francisco Community College District Special Tax Election, all to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places, and officers for these elections shall be the same as for the State General Election.

ADOPTED

120800 [Accept Gift - Computers for the Police Department - \$59,400]

Sponsor: Chu

Resolution authorizing the San Francisco Police Department to retroactively accept a gift of 60 laptop computers valued at \$59,400 from Hewlett Packard, Inc., for use by police officers in the field.

ADOPTED

120804 [Multifamily Housing Revenue Bonds - 2175 Market Street - Not to Exceed \$31,000,000]

Sponsor: Wiener

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$31,000,000 for FC 2175 Market Street, LLC; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$31,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED

120805 [Supporting Reunification of Immigrant Families Divided By Deportation - Senate Bill 1064 and House Bill 6128]**Sponsors: Campos; Olague, Avalos, Chiu, Cohen and Mar**

Resolution supporting the California Senate Bill 1064 (Reuniting Immigrant Families Act) and Federal House Bill 6128 (Help Separated Families Act) of 2012 that work to keep families united, to reduce the amount of children placed in foster care as a result of immigration enforcement action, and urging State and Federal legislators to support these bills.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 120799 be severed so that it may be considered separately.

Supervisor Farrell Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Chu, moved that Supervisor Farrell be excused from voting on File No. 120799. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Elsbernd

120799 [Designation - Treasurer-Tax Collector Cisneros and Supervisor Farrell, League of California Cities Voting Delegate and Alternate]**Sponsor: Farrell**

Resolution designating Treasurer-Tax Collector Jose Cisneros as League of California Cities Voting Delegate and Supervisor Mark Farrell as League of California Cities Alternate Voting Delegate.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Supervisor Mar requested that File No. 120801 be severed so that it may be considered separately.

120801 [Urging Support of City College of San Francisco]**Sponsors: Mar; Avalos, Chiu, Campos and Cohen**

Resolution urging San Francisco elected officials to support City College of San Francisco in maintaining its mission as a Community College and to support City College by finding new revenue sources.

Supervisors Chiu, Campos, and Cohen requested to be added as co-sponsors.

REFERRED to the City Operations and Neighborhood Services Committee

Supervisor Kim requested that File No. 120802 be severed so that it may be considered separately.

120802 [Urging Port Commission to Form Citizen's Advisory Committee - Piers 30-32 and Seawall Lot 330 Project]

Sponsor: Kim

Resolution urging: 1) the Port Commission to form a project-specific Citizen's Advisory Committee to review and provide input on a multi-purpose facility on Piers 30-32, and related development on Seawall Lot 330, that would be used for the Warriors' home games, conventions and other purposes; 2) the Port Executive Director to appoint representatives from neighborhoods surrounding Piers 30-32, as well as others with specified policy expertise; and 3) the Citizen's Advisory Committee to meet and report back regularly to the Port Commission and the Board of Supervisors.

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos requested that File No. 120808 be severed so that it may be considered separately.

120808 [Establishing Process for Official Misconduct Hearing]

Motion establishing a process, in accordance with Charter Section 15.105, for official misconduct hearings at the Board of Supervisors. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Motion be AMENDED on Page 2, Line 12 by replacing '20' with '10'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-098

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chiu requested that File No. 120809 be severed so that it may be considered separately.

120809 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 6, 2012, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 6, 2012, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Mar, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-099**APPROVED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA*[Purely Commendatory Finding]**Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.***Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding.****The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

*[Brown Act Finding]**Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.***Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120810 [Chinese Progressive Association Day - August 4, 2012]**Sponsors: Mar, Campos and Olague**

Resolution commending Chinese Progressive Association on the occasion of its 40th Anniversary and declaring August 4, 2012, as Chinese Progressive Association Day in the City and County of San Francisco.

*The President inquired as to whether any member of the public wished to address the Board relating to Chinese Progressive Association Day. There were no speakers. The President declared public comment closed.***ADOPTED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

LEGISLATION INTRODUCED AT ROLL CALL**PROPOSED RESOLUTION****120790 [Real Property Lease - 124 Turk Street]**

Resolution authorizing the exercise of a ten year option to extend the Master Lease of the 14,700 square foot building at 124 Turk Street for the Department of Public Health. (Real Estate Department)

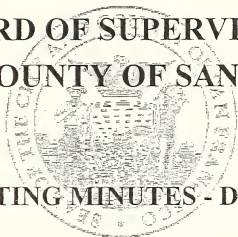
07/23/12: RECEIVED FROM DEPARTMENT.

07/31/12: RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:51 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, September 4, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS
SEPT

SEP 1 2012

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee

Supervisors Chu, Avalos, Kim

Wednesday

11:00 AM

City and School District Select Committee

Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent.

Supervisors Kim and Mar were noted present at 2:10 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of July 10, 2012, July 17, 2012, and July 24, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from John Arntz, Director of Elections, certifying the referendum petition relating to 8 Washington Street Project - Zoning Map Amendment (Ordinance No. 104-12; File No. 120271), on August 1, 2012, further indicating the item is agendized for re-consideration pursuant to Charter Section 14.102 and California Elections Code Section 9115(f).

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

- 120407 [Business and Tax Regulations, Police Codes - Parking Tax Exemption for Special Parking Events Operated by Volunteers on SFUSD Property]**
Sponsors: Mayor; Mar, Wiener, Chiu, Farrell, Chu, Olague, Kim, Campos, Cohen and Avalos
Ordinance amending the San Francisco Business and Tax Regulations Code, Article 9, Section 604, and adding Section 608, to exempt a limited number of special parking events operated by volunteer led nonprofit organizations on SFUSD property for the sole benefit of San Francisco public schools and earning less than \$10,000 in gross revenue per event from rent, from the requirement to pay parking tax and other requirements, establishing Special School Parking Event Permits issued by the Tax Collector and making findings; and amending the San Francisco Police Code, Section 1215 to exclude from the definitions of Parking Garage and Parking Lot special event parking on SFUSD property operated by a qualified nonprofit pursuant to a Special School Parking Event Permit, and establishing a sunset date.
(Fiscal Impact)
FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

- 111047 [Administrative, Campaign and Governmental Conduct Codes - Obligations of Landlords and Small Business Tenants for Disability Access Improvements]**
Sponsors: Chiu; Mar
Ordinance amending the San Francisco Administrative Code by adding Chapter 38, Sections 38.1 through 38.7, and amending San Francisco Campaign and Governmental Conduct Code Section 3.400, all to require commercial landlords leasing properties to small businesses for use as public accommodations to: 1) bring public restrooms, ground floor entrances to, and exits from, the building into compliance with applicable state and federal disability access laws or to disclose to tenants that the property may not currently meet all applicable construction-related accessibility standards, including standards for public restrooms and ground floor entrances and exits; 2) inform small business tenants that they may be legally and financially liable for failing to comply with those laws and offer such tenants copies of the Small Business Commission's access information notice; 3) include in any new or amended leases a provision addressing the respective obligations of the landlord and small business tenant to bring the leased premises into compliance with those access laws; 4) requiring the Small Business Commission, by January 1, 2013, to develop and distribute an access information notice in multiple languages regarding local, state, and federal disability access laws that may apply to businesses in San Francisco and to make that notice available for distribution through various other City departments; and 5) to require the City to give priority to building permit applications for work to bring space used by small businesses into compliance with those access laws; and making environmental findings.
FINALLY PASSED

120528 [Administrative, Planning Codes - Historical Property (Mills Act) Contracts and Fee Reduction]**Sponsor: Wiener**

Ordinance: 1) amending the San Francisco Administrative Code, Chapter 71, entitled "Mills Act Contract Procedures" to: a) amend Section 71.2 to add limitations on eligibility, b) amend Section 71.3 to add application deadlines, c) amend Section 71.4 to add a time limit for receipt of the Assessor-Recorder's report, d) amend Section 71.5 to require use of a standard form contract, and e) adding new Section 71.7 to require departmental monitoring reports; 2) amending the San Francisco Planning Code Section 356 to reduce the application fee for Mills Act contracts; and 3) making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

FINALLY PASSED**120416 [Joint Powers Agreement - California Rural Home Mortgage Finance Authority and Associate Membership]****Sponsor: Mar**

Resolution approving associate membership in the California Rural Home Mortgage Finance Authority and authorizing the Director of the Department of the Environment to execute the Joint Powers Agreement.

ADOPTED**Recommendation of the Rules Committee****120668 [Health Code - Reauthorizing Food Security Task Force]****Sponsor: Mar**

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2 to: 1) to reauthorize the Food Security Task Force, which had expired on January 30, 2012; 2) create sunset provisions for the Food Security Task Force expiring on July 1, 2015, subject to extension; 3) identify the agencies and organizations from which members are appointed; and 4) set the number of members, and making findings, including environmental findings.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

120834 [Findings - 601 Dolores Street - Approval with Different and Modified Conditions]

Motion adopting findings supporting the Board of Supervisors decisions to: 1) disapprove the decision of the Planning Commission by its Motion No. 18604, approving Conditional Use Authorization identified as Planning Case No. 2011.0584CV on property located at 601 Dolores Street; and 2) approve conditional use on property located at 601 Dolores Street subject to the conditions set forth in Planning Commission Motion No. 18604, as modified by the Board of Supervisors on July 24, 2012, and subject to additional conditions imposed by the Board on July 24, 2012. (Clerk of the Board)

Motion No. M12-100

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120835 [Findings - 3901-24th Street - Disapproving Conditional Use Authorization]

Motion adopting findings supporting the Board's decision to disapprove the decision of the Planning Commission by its Motion No. 18648, approving Conditional Use Authorization identified as Planning Case No. 2011.1372C on property located at 3901-24th Street. (Clerk of the Board)

Motion No. M12-101

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee

111374 [Planning Code - Creating a New Definition of Student Housing]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 124 to create a new subsection (k), to permit additional square footage above the floor area ratio limits for student housing projects in buildings in the C-3-G and C-3-S Districts, that are not designated as significant or contributory pursuant to Article 11; 3) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 4) amending Section 207.6(b)(3) to exempt student housing from the unit mix requirement in RTO, NCT, DTR and Eastern Neighborhoods Mixed Used Districts; 5) amending Section 307 to permit the conversion of student housing into residential uses, when certain conditions are met; 6) amending Section 312 to require notice for a change of use to group housing; 7) amending Section 317 to prohibit the conversion of residential units into student housing, except in specified circumstances; 8) amending Section 401 to make conforming amendments; 9) amending Section 415.3 to make conforming amendments and to simplify the monitoring responsibilities of the Mayor's Office of Housing; 10) amending Tables 814, 840, 841, 842, and 843 to make conforming amendments; and 11) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendation of the Government Audit and Oversight Committee

120672 [Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant, or growing tree.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Government Audit and Oversight Committee Without Recommendation

120671 [Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 1279.2, 1280, 1280.1, 1281, and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at \$200.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120475 [Planning Code and Zoning Map - Chinese Hospital Special-Use District]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120753 [General Plan Amendment - Chinese Hospital Special Use District]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120717 [Health, Business and Tax Regulations Codes - On-Site Water Reuse for Commercial, Multi-Family, and Mixed-Use Developments]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Health Code by adding Article 12C and amending the San Francisco Business and Tax Regulations Code by adding Section 249.24 to: 1) establish permitting requirements for the use of alternate water sources for nonpotable applications; 2) setting permit and annual fees; and 3) making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 2:30 P.M.**120262 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 1100 Lombard Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 3, 2012, that a project located at 1100 Lombard Street (Building Permit Application No. 2012.02.03.3472) is exempt from environmental review under the California Environmental Quality Act. The proposal would create a new firewall on the 1100 Lombard Street property (Assessor's Block No. 0069, Lot No. 081). (District 2) (Appellant: Christa Shaw on behalf of the John Sperling 1994 Irrevocable Trust, owner of 2323 Hyde Street) (Filed March 20, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the Appellant, dated September 4, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. Jim Roberts (Project Sponsor); spoke in support of the project. Walter Paulson; shared in song certain concerns. Ernestine Weiss; expressed concerns relating to cross streets. Ray Hartz; expressed various concerns. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120263 [Affirming the Exemption Determination - 1100 Lombard Street]

Motion affirming the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-102

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be **APPROVED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120264 [Reversing the Exemption Determination - 1100 Lombard Street]

Motion reversing the determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120265 [Preparation of Findings Related to the Exemption Determination - 1100 Lombard Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 1100 Lombard Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 2:30 P.M.**120781 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 2853-2857 Broderick Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated July 3, 2011, that a project located at 2853-2857 Broderick Street (Case No. 2010.0394E) is exempt from environmental review under California Environmental Quality Act (CEQA), Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposed project involves raising the building by approximately three feet to insert a garage at ground level, expanding the ground floor level and creating a new curb cut. The subject property is located in the RH-2 (Residential, House, Two-Family) Zoning District and a 40-X Height and Bulk District, Assessor's Block No. 0947, Lot No. 002. (District 2) (Appellant: Kate Polevoi on behalf of various appellants) (Filed July 10, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the Appellant, dated September 4, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. Male Speaker (Appellant); spoke in support of the project. Walter Paulson; shared in song certain concerns. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

120782 [Affirming the Exemption Determination - 2853-2857 Broderick Street]

Motion affirming the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Motion No. M12-103

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120783 [Reversing the Exemption Determination - 2853-2857 Broderick Street]

Motion reversing the determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120784 [Preparation of Findings Related to the Exemption Determination - 2853-2857 Broderick Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 2853-2857 Broderick Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****120876 [Hearing - Zoning Map Amendment - 8 Washington Street Project]**

Hearing of persons interested in or objecting to repealing an Ordinance (File No. 120271): 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the referendum of File No. 120271.

Louise Renne; Eric Nath; Irene Glassgold; Lee Radner; Ray Hartz; Janet Lautenberger; Debra Benedict; Joe Butler; Andrew Resignato; Linda Chapman; Mark Bruno; Tom Gilbert; Walter Paulson; Ernestine Weiss; Charles Stultman; Bobby Coleman; Sue Hestor; Francisco Da Costa; David Elliott Lewis; spoke in support of repealing the Ordinance and expressing various concerns. Carrie Byles; Sara Doran; Danielle McGuire; Benjamin Damron; Kye Archuleta; Janine Moss; Roger Wong; Manuel Rodriguez; Byron Foote; Stewart Morton; Brendon Culligan; Nick Pesakian; Patrick O'Sullivan; Sarah Stoggi; Tim Colen; Eric Cole; Andrew Devine; Thomas Bunkley; Adrienne Ceebe; Russ Sturgis; Andy Hammel; Ted Easley; Male Speaker; Karla Fernandez; Alan Mark; Jim Chapel; spoke expressing various concerns in opposition of repealing the Ordinance. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

Referendum Reconsideration

120271 [Zoning Map Amendment - 8 Washington Street Project]

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Commission)

NOT REPEALED by the following vote:

Ayes: 3 - Avalos, Campos, Chiu

Noes: 8 - Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Leela Gill of District 5 in recognition of her accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Vladimar Prikupets of District 1 in recognition of his accomplishments and continued community support on the occasion of his 80th birthday.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Ray Hartz; expressed concerns relating to government (See additional information submitted on Page 15).

Eugene Gordon, Jr.; expressed various concerns.

Jim Salinas, Sr.; spoke regarding the Carpenter's Union Workers.

Debra Benedict; expressed concerns relating to bicycles on City sidewalks.

Ernestine Weiss; expressed various concerns.

Francisco Da Costa, expressed various concerns relating to the Sunshine Ordinance Task Force.

Peter Whitley; expressed various concerns relating to taxi surveys and service.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120821 [Establishment and Enforcement of Labor Compliance Program for Proposition 84 - Funded Public Works Projects]

Sponsor: Wiener

Resolution finding that the City and County of San Francisco, through its Office of Labor Standards and Enforcement, has established, and will enforce a project-specific Labor Compliance Program, in accordance with the requirements of Labor Code Section 1771.5(b), for all public works projects funded in any part from a Proposition 84 (2006 Safe Drinking Water Bond Act) Grant.

ADOPTED

The foregoing item was acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120836 [Settlement of Lawsuit - Saeed Ibrahim - \$35,000.00]

Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for \$35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

08/09/12; RECEIVED AND ASSIGNED to Rules Committee.

08/09/12; RECEIVED FROM DEPARTMENT.

120837 [Settlement of Lawsuit - Lepakshi Nadh Jilakara - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

08/09/12; RECEIVED AND ASSIGNED to Rules Committee.

08/09/12; RECEIVED FROM DEPARTMENT.

120845 [Settlement of Lawsuit - Brian Navarro - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No. CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120846 [Settlement of Lawsuit - Fred Broussard - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for \$125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

09/04/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120853 [Settlement of Lawsuit - Raymond Quinn - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for \$75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120854 [Settlement of Lawsuit - Brock Rasmussen - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120855 [Settlement of Lawsuit - Yim Bing Kwong - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

120856 [Settlement of Lawsuit - James Wilson - \$77,072.75]

Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for \$77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

08/16/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

120838 [Settlement of Claim - Adam Holm - \$34,154.27]

Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for \$34,154.27; claim was filed on April 30, 2012. (City Attorney)

08/09/12; RECEIVED AND ASSIGNED to Rules Committee.

08/09/12; RECEIVED FROM DEPARTMENT.

120860 [Contract Amendment - En Pointe Technology Sales, Inc. - \$54,150,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc., part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$38,490,000 to \$54,150,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120861 [Contract Amendment - Xtech - \$67,890,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and Xtech, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$51,490,000 to \$67,890,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120862 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - \$34,460,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$24,490,000 to \$34,460,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

08/24/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120863 [Contract Amendment - Increase Alliant Insurance Services - Not to Exceed \$17,000,000]

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to amend its contract for insurance brokerage services with Alliant Insurance Services to increase the contract value by \$7,500,000 for an amount not to exceed \$17,000,000, pursuant to San Francisco Charter Section 9.118. (City Administrator)

08/27/12; RECEIVED FROM DEPARTMENT.

09/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:16 p.m.

ADDENDUM

The following information are provided by speaker(s), pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: Even though they know and understand the law, both the letter and intent, this Board of Supervisors will ignore your rights to free speech, to petition for redress of grievance, and due process if it suits their purposes. An example is the Sunshine Ordinance. If you point out the law, they will ignore you. If you file a complaint, they will evade you. If you win your case, they will ignore that. If it's referred to the Ethics Commission, they will see it dismissed without hearing. If you win a case they really don't like, they will replace of SOTF members who took your side. If really upset, they will do what they need to do to shut down the process. This is not conjecture, is all a matter of public record. Bottom line: members of this BOS have no respect for the rule of law or your constitutional rights.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 11, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS
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SEP 13 2012

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Chu, Avalos, Kim	Wednesday 11:00 AM
City and School District Select Committee Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza	4th Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Elsbernd, Chu, Olague	2nd and 4th Monday 10:00 AM
Government Audit and Oversight Committee Supervisors Farrell, Elsbernd, Chiu	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Mar, Cohen, Wiener	Monday 1:00 PM
Public Safety Committee Supervisors Avalos, Olague, Mar	1st and 3rd Thursday 10:30 AM
Rules Committee Supervisors Kim, Farrell, Campos	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Christina Olague, and Scott Wiener

Absent: Eric Mar

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisor Mar was noted absent and noted present at 2:16 p.m. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of July 31, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Absent: 1 - Mar

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

120895 [Formal Policy Discussions - September 11, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible question submitted by the Supervisor representing District 4.

The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. One of the areas you have emphasized is supporting economic growth directly in our neighborhoods. In March, we invited you to participate in a merchant walk on Taraval Street where you personally saw blocks with vacant storefronts and saw great opportunity for City investment in the public infrastructure. What specific physical improvements have your departments completed in the last six months on Taraval between 46th Avenue and the Great Highway? What specific actions has the Office of Small Business or the Office of Economic and Workforce Development taken in the last six months to reach out to property owners and prospective businesses on Taraval between 31st and 33rd Avenues to attract and encourage more vibrant merchant activity? (Supervisor Chu, District 4)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

120672 [Police Code - Allowing Dogs to be Fastened to Lamp Post, Hydrant, or Tree; Repealing Outdated Code Provisions]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 875, 876, 924 through 929, 973, 1500, and 1501; and 2) amending Section 585 to exempt dogs on a leash from the prohibition against fastening an animal to a lamp post, hydrant, or growing tree.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

120475 [Planning Code and Zoning Map - Chinese Hospital Special Use District]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by adding Section 249.69 to create the Chinese Hospital Special Use District for the properties at 835 and 845 Jackson Street (Assessor's Block No. 0192; Lot No. 041) to facilitate development of the Chinese Hospital Replacement Project; amending Sectional Maps ZN01, HT01, and SU01 of the San Francisco Zoning Map to reflect the Chinese Hospital Special Use District; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

FINALLY PASSED

120753 [General Plan Amendment - Chinese Hospital Special Use District]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco General Plan Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block No. 0192, Lot No. 041); and creating findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340. (Planning Commission)

FINALLY PASSED

120717 [Health, Business and Tax Regulations Codes - On-Site Water Reuse for Commercial, Multi-Family, and Mixed-Use Developments]

Sponsors: Chiu; Mar

Ordinance amending the San Francisco Health Code by adding Article 12C and amending the San Francisco Business and Tax Regulations Code by adding Section 249.24 to: 1) establish permitting requirements for the use of alternate water sources for nonpotable applications; 2) setting permit and annual fees; and 3) making environmental findings.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Government Audit and Oversight Committee Without Recommendation

120671 [Police Code - Secondhand Dealer and Antique Dealer Permit Requirements]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; and 2) amending Sections 1279, 1279.1, and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at \$200.

Supervisor Chiu, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED on page 5, line 15, by adding 'but excluding jewelry and watches with a fair market value as a secondhand good of \$40,00 or less' after 'watches'. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120689 [Administrative Code - Aviation Support Services/Airport Leases]

Ordinance amending the San Francisco Administrative Code Section 2A.173 to authorize the Airport Commission to enter into leases with entities providing aviation support services without competitive bidding for a term not to exceed 10 years. (Airport Commission)
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120770 [Waiver of Temporary Street Space Occupancy Fee for the Ocean Avenue Festival]

Sponsor: Avalos

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy as part of the Ocean Avenue Arts and Culture Festival on September 15, 2012.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120820 [Setting San Francisco's Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2012-2013]**Sponsor: Mayor**

Ordinance providing revenue and levying property taxes at a combined rate of \$1.1691 on each \$100.00 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing pass-through rate of \$0.0810 per \$100.00 of assessed value for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2013.

(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120776 [Real Property Lease - 10 Lombard Street, Roundhouse Two]**Sponsor: Chiu**

Resolution approving Port Commission Lease No. L-15150 with Ammunition, LLC, a California Limited Liability Company, for office space located at 10 Lombard Street, Roundhouse Two, in the Northern Waterfront with a 52 month term.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120790 [Real Property Lease - 124 Turk Street]

Resolution authorizing the exercise of a ten year option to extend the Master Lease of the 14,700 square foot building at 124 Turk Street for the Department of Public Health for contract service providers to provide housing to homeless individuals, retroactively to August 1, 2012. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120863 [Contract Amendment - Increase Alliant Insurance Services - Not to Exceed \$15,100,000]

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to amend its contract for insurance brokerage services with Alliant Insurance Services to increase the contract value by \$5,600,000 for an amount not to exceed \$15,100,000, pursuant to San Francisco Charter Section 9.118. (City Administrator)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

From the Budget and Finance Committee Without Recommendation**120735 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]**

Resolution approving the Twenty Eighth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

*Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen*

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120736 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving the Thirty Seventh Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

*Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen*

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120737 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving the Sixteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120738 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving the Eighth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy extending the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120739 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]

Resolution approving the Twenty Fourth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2013. (Treasure Island Development Authority)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120740 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement from October 1, 2012, to September 30, 2013. (Treasure Island Development Authority)
(Fiscal Impact)

Privilege of the floor was granted to Mirian Saez (TIDA); Michael Carlin (PUC); Amy Brownell (DPH); Michael Tymoff (Mayor's Office); Bob Burns (NGTS Incorporated); who responded to questions raised throughout the discussion regarding File Nos. 120735, 120736, 120737, 120738, 120739, and 120740.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Kim, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Emil Deguzman on the occasion of his retirement from city service.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Lily Haskell for her work as outgoing Executive Director of the Arab Resource and Organizing Center.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Ben Aymes, Human Services Agency employee for National Emergency Preparedness Month, and his work being a first-responder at the numerous fires, bomb threats and evacuations in District 6.

COMMITTEE REPORT

120671 [Reappointment, Board of Appeals - Arcelia Hurtado]

Motion approving/rejecting the President of the Board of Supervisors, Supervisor David Chiu's nomination of Arcelia Hurtado to the Board of Appeals, for the term ending July 1, 2016. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - August 29, 2012)

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Motion No. M12-104

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Supervisor Campos was noted absent at 3:33 p.m. and noted present at 3:37 p.m.

See Legislation Introduced below.

PUBLIC COMMENT

*Supervisor Farrell was noted absent at 4:15 p.m. and noted present at 4:20 p.m.
Supervisor Elsbernd was noted absent at 4:29 p.m. and noted present at 4:33 p.m.*

*Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Female Speaker; expressed concerns relating to crimes in San Francisco.
Male Speaker; expressed various concerns.
Ray Hartz; expressed concerns relating to the SF Public Library. (See additional information submitted on page 11.)
Vivian Imperiale; expressed support for Sheriff Ross Mirkarimi.
Pedro Fernandez; expressed support for Sheriff Ross Mirkarimi.
Eugene Gordon, Jr.; expressed various concerns.
Male Speaker; expressed various concerns.
Nancy Keller; expressed support for Sheriff Ross Mirkarimi.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; expressed support for Sheriff Ross Mirkarimi.
Douglas Yep; expressed various concerns.
Male Speaker; expressed support for Sheriff Ross Mirkarimi.
Tami Bryant; expressed support for Sheriff Ross Mirkarimi.
Male Speaker; expressed concerns regarding OccupySF.
Rosorio Cervantes; expressed support for Sheriff Ross Mirkarimi.
Peter Warfield; expressed various concerns.
Ace Washington; expressed various concerns.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120887 [Gay and Lesbian Medical Association's 30th Annual Conference]

Sponsor: Campos

Resolution welcoming the Gay and Lesbian Medical Association's 30th Annual Conference participants.

ADOPTED

120888 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the Planning Code by amending Sectional Map SU08 of the Zoning Map of the City and County of San Francisco and adding Planning Code Section 249.66 to: 1) establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and 2) making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

ADOPTED

120889 [Multifamily Housing Revenue Bonds - 1415 Mission Street]**Sponsor: Kim**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$42,000,000 for a 121 unit residential rental housing development to be located at 1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$42,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED**120890 [Multifamily Housing Revenue Bonds - 440 Valencia Street, Plaza Del Sol]****Sponsor: Wiener**

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$9,000,000 for 440 Valencia Street, Plaza del Sol; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$45,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$9,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED**120891 [Mission Playground Day - September 15, 2012]****Sponsor: Wiener**

Resolution declaring September 15, 2012, as Mission Playground Day in the City and County of San Francisco to recognize the grand reopening of Mission Playground and commend the project team of the San Francisco Recreation and Park Department, Department of Public Works, and the City Fields Foundation for their hard work and commitment to the City and County of San Francisco and its residents.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

PROPOSED RESOLUTION

120897 [Settlement of Claim - Laurel Dawn Teixeira - \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for \$80,000; claim was filed on November 7, 2011. (City Attorney)

08/27/12; RECEIVED FROM DEPARTMENT.

09/11/12; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:52 p.m.

ADDENDUM

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted to the following additional information during Public Comment as follows: This is SOTF O.D. #11083 finding City Librarian, Luis Herrera in violation for withholding public records relating to the finances of the Friends of the San Francisco Public Library. This records request is now a year old, and Luis Herrera is still not releasing certain public records. I've been asked why he would do this and my answer is two-fold: first, the records show that neither the Library Commission or the City Librarian provide any oversight of the millions of dollars raised and expended each year by "The Friends," second, Luis Herrera receives approximately \$3000 per month of "discretionary funds" from "The Friends." The reality is that this "public-private partnership" is ONE HUNDRED PERCENT PRIVATE and ZERO PERCENT PUBLIC. In fact, it has reached the point where this BOS can no longer just look the other way, as both the City Librarian and the Library Commission have done for years!

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 25, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
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SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:16 p.m. On the call of the roll all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

120836 [Settlement of Lawsuit - Saeed Ibrahim - \$35,000.00]

Ordinance authorizing settlement of the lawsuit filed by Saeed Ibrahim against the City and County of San Francisco for \$35,000.00; the lawsuit was filed on February 17, 2011, in U.S. District Court, Case No. CV 11-1695-RS; entitled Saeed Ibrahim v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120837 [Settlement of Lawsuit - Lepakshi Nadh Jilakara - \$40,000]

Ordinance authorizing settlement of the lawsuit filed by Lepakshi Nadh Jilakara against the City and County of San Francisco for \$40,000; the lawsuit was filed on April 26, 2011, in San Francisco Superior Court, Case No. CGC-11-510513; entitled Lepakshi Nadh Jilakara, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120845 [Settlement of Lawsuit - Brian Navarro - \$225,000]

Ordinance authorizing settlement of the lawsuit filed by Brian Navarro against the City and County of San Francisco for \$225,000; the lawsuit was filed on March 1, 2011, in Brian Navarro vs. City and County of San Francisco, Case No. CGC-11-508644; entitled Brian Navarro, et al., v. City and County of San Francisco, et al.; other material terms of said settlement are material terms. (City Attorney)

FINALLY PASSED

120846 [Settlement of Lawsuit - Fred Broussard - \$125,000]

Ordinance authorizing settlement of the lawsuit filed by Fred Broussard against the City and County of San Francisco for \$125,000; the lawsuit was filed on October 4, 2010, in the United States District Court for the Northern District of California, Case No. CV10-4997 WHA; entitled Fred Broussard, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120853 [Settlement of Lawsuit - Raymond Quinn - \$75,000]

Ordinance authorizing settlement of the lawsuit filed by Raymond Quinn against the City and County of San Francisco for \$75,000; the lawsuit was filed on February 16, 2012, in US District Court, Case No. CV-12-0766 DMR; entitled Raymond Quinn v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

120855 [Settlement of Lawsuit - Yim Bing Kwong - \$60,000]

Ordinance authorizing settlement of the lawsuit filed by Yim Bing Kwong against the City and County of San Francisco for \$60,000; the lawsuit was filed on October 27, 2010, in the United States District Court for the Northern District of California, Case No. C-10-4860, entitled Yim Bing Kwong v. City and County of San Francisco. (City Attorney)

FINALLY PASSED

120856 [Settlement of Lawsuit - James Wilson - \$77,072.75]

Ordinance authorizing settlement of the lawsuit filed by James Wilson, against the City and County of San Francisco for \$77,072.75; the lawsuit was filed on February 20, 2007, in United States District Court, Case No. C-07-01016 PJH; entitled James Wilson, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

111371 [Administrative Code - CleanPowerSF Funds and Appropriating \$19,500,000 of Available Fund Balance to Support Required Reserves and Creating Special Funds for the CleanPowerSF Program at the Public Utilities Commission]

Sponsor: Campos

Ordinance appropriating \$19,500,000 of Hetch Hetchy fund balance at the Public Utilities Commission to support CleanPowerSF Community Choice Aggregation program consistent with the contractual requirements and budgetary authorizations as approved by the San Francisco Public Utilities Commission and the Board of Supervisors, placing the \$6,000,000 appropriated for CleanPowerSF sustainability services on Budget and Finance Committee Reserve pending detailed appropriation plans for those sustainability services, and adding Administrative Code Sections 10.100.372 and 10.100.373 to establish the CleanPowerSF Customer Fund and the CleanPowerSF Reserve Fund. (Public Utilities Commission)
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

120631 [Business and Tax Regulations, Police, and Planning Codes - Parking Tax Simplification for Residential Properties]**Sponsor: Wiener**

Ordinance amending the San Francisco Business and Tax Regulations Code by adding Section 609 to establish Parking Tax Simplification for Residential Properties to relieve residential property owners and managers renting five or fewer parking spaces in Parking Stations physically attached to or otherwise associated with the building from the requirement to: 1)(a) obtain a certificate of authority, (b) make monthly tax prepayments, (c) obtain a parking tax bond, and (d) providing amnesty from parking taxes, interest, penalties and fees owed for tax periods ending before April 1, 2011; 2) amending the Business and Tax Regulations Code Section 2219.7 to exempt property owners and managers registered pursuant to Section 609 from the requirement to pay the Revenue Control Equipment compliance fee; 3) amending the Planning Code Section 204.5 to allow as an accessory use up to five dwelling unit parking spaces to be leased to persons living off-site anywhere in the City; 4) making conforming changes to the Planning Code Section 150(d); 5) amending the Police Code Section 1215 to eliminate the requirement to hold a commercial parking permit for property owners and managers registered pursuant to Section 609 of the Business and Tax Regulations Code; and 6) making environmental findings and findings of consistency with the general plan.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee**120353 [Planning Code - Mechanical Car Wash Facilities on 19th Avenue]****Sponsors: Olague; Chu and Elsbernd**

Ordinance amending the San Francisco Planning Code by adding Section 187.2 to permit existing gasoline and service stations located on 19th Avenue to provide a mechanical car wash on the same site; making environmental findings and findings of consistency with the General Plan.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120819 [Park Code - Petitioning, Leafletting, Picketing, and Soliciting in City Parks]**Sponsor: Wiener**

Ordinance amending the San Francisco Park Code, Section 7.08, to repeal Subsection (d), which prohibits persons from petitioning, leafletting, demonstrating, or soliciting in designated areas of certain City parks while another event is in progress for which a permit has been issued by the Recreation and Park Department.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120191 [Building Code - Definition of Efficiency Unit]**Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED on First Reading to November 13, 2012. The motion to Continue on First Reading carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Campos, moved to Rescind the previous vote. The motion to Rescind carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener, seconded by Supervisor Campos, CONTINUED ON FIRST READING to November 20, 2012, by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS**Recommendations of the Budget and Finance Committee****120751 [Appropriating \$543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]****Sponsors: Mayor; Chiu**

Ordinance appropriating \$543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of \$543,200,000 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120759 [Airport Capital Plan Bonds - \$502,200,000]**Sponsors: Mayor; Chiu**

Resolution approving the issuance of up to \$502,200,000 aggregate principal amount of San Francisco Airport Commission Capital Plan Bonds; and approving certain related matters.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120822 [Lease Amendment - Union Square Garage - 333 Post Street]**Sponsor: Chiu**

Resolution approving and authorizing an amendment to the Lease of the Union Square Garage at 333 Post Street with the City and County of San Francisco Uptown Parking Corporation to continue the term of the Lease for a period not to exceed 180 days following the retirement of certain parking revenue bonds until the City and the Corporation either execute a new lease to replace the existing Lease, or complete an agreement to terminate the Lease and create a new advisory body in place of the Corporation; and ratifying prior acts.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120823 [Accept and Expend Grant - The Stop Study - \$747,833]**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$747,833 from Centers for Disease Control and Prevention to participate in a program entitled "The Stop Study" for the period of June 15, 2012, through June 14, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120860 [Contract Amendment - En Pointe Technology Sales, Inc. - \$54,150,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and En Pointe Technology Sales, Inc., part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$38,490,000 to \$54,150,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120861 [Contract Amendment - Xtech - \$67,890,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and County of San Francisco and Xtech, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$51,490,000 to \$67,890,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120862 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - \$34,460,000]

Resolution authorizing the Office of Contract Administration to enter into the Third Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley, part of the Technology Store procurement vehicle, in which the amendment shall increase the contract limit from \$24,490,000 to \$34,460,000, exercise the second of two options to extend the contract by one year through December 31, 2013, and update standard contractual clauses. (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120142 [Transportation Code - Large Vehicle Parking Restrictions]**Sponsors: Chu; Cohen**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or seven feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

Supervisor Chiu, seconded by Supervisor Chu, moved that this Ordinance be AMENDED to add a new section to require the Mayor's Office on Housing, Opportunity, Partnership and Engagement, in conjunction with the Municipal Transportation Agency, to:

- 1) Assess oversized vehicles and collect demographic information if possible;
- 2) Assess options for vehicle storage;
- 3) Track the transition of any individuals to City services subsequent to the operative date of the ordinance;
- 4) Report to the Board of Supervisors, at a public hearing, on their findings within 90 days of the effective date of this ordinance.

The motion to Amend carried by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Olague, Avalos, Campos

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be AMENDED to add a new section to request:

- 1) The Mayor's Office on Housing, Opportunity, Partnership and Engagement, in conjunction with the Municipal Transportation Agency, to assess how many vehicles are inhabited, collect demographics, and study the impact this legislation would have on those inhabiting vehicles, including any unintended consequences of the legislation;
- 2) Municipal Transportation Agency shall assess the possibility of opening parking lots in the same neighborhoods and creating partnerships with private entities to allow parking on private lots;
- 3) An assessment shall be made of the capacity of the City to provide housing and support services to those individuals and families with children that choose to avail themselves of such resources;
- 4) The Mayor's Office on Housing, Opportunity, Partnership and Engagement and the Municipal Transportation Agency shall report to the Board of Supervisors on their findings within 90 days of the implementation of this Ordinance.

The motion to Amend FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Kim, Olague

Noes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or 7 feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

PRIVILEGE OF THE FLOOR

Privilege of the floor was granted to Bond Yee (Municipal Transportation Agency); Bevan Dufty, Director (Mayor's Office of Housing Opportunity, Partnerships and and Engagement); and Dr. Erin; who responded to questions raised throughout the discussion regarding File No. 120142.

120318 [Police Code - Additional Penalties for Foreclosed Properties]**Sponsor: Cohen**

Ordinance amending the San Francisco Police Code Article 1 and adding Sections 96 to 96.6 to permit the City and County of San Francisco to: 1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120773 [Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]**Sponsors: Farrell; Wiener**

Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pursuant to File No. 120941, approved September 25, 2012.)

120942 [Committee of the Whole - Public Hearing - Ordinance of the Successor Agency to the Former Redevelopment Agency]

Sponsor: Cohen

Hearing on Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law. (File No. 120898)

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to the proposed Resolution as referenced in File No. 120898. Naomi Kelly, City Administrator; Tiffany Bohee (Successor Agency to the former Redevelopment Agency); provided an overview of the Ordinance. Ray Haristep; Cathy Alliot; Male Speaker; Espanola Jackson; Diane Wesley Smith; Robert Wood; Male Speaker; Tom Radulovich; Perin Woods; Dr. Veronica Honeycut; DeeDee Workman; Male Speaker; Christine Johnson; Ace Washington; Michael Terrance; Amen; Eric Brooks; Calvin Welch; Arnold Townsend; Miguel Bustos; David Elliot; expressed concerns relating to the proposed Ordinance. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120898 [Successor Agency to the Former Redevelopment Agency]**Sponsors: Mayor; Kim, Cohen and Olague**

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED to October 2, 2012. The motion to Continue FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Kim, Olague

Noes: 6 - Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Supervisor Olague, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED to: Clarify that the Board of Supervisors will retain review and approval power over the Successor Agency to the Former Redevelopment Agency's operational budget; Require the Successor Agency to the Former Redevelopment Agency provide a report within 120 days concerning a roadmap for future activities. The motion to Amend carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved that the Ordinance be AMENDED to require that two out of the five seats of the Successor Agency be representatives of at least two of the three area plans. The motion to Amend carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Cohen, Kim, Olague

Noes: 5 - Chu, Elsbernd, Farrell, Mar, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved to RESCIND the previous vote. The motion to Rescind carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim, seconded by Supervisor Campos, moved that the Ordinance be AMENDED to require that two out of the five members be residents of the two supervisorial districts that include the largest portions of the three major plan areas. The motion to Amend carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that the Ordinance be AMENDED on Page 13, Line 2-3, to strike 'The Commission may delegate to the Executive Director any of its duties it deems appropriate'. The motion to Amend carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Cohen, Kim, Olague

Noes: 5 - Chu, Elsbernd, Farrell, Mar, Wiener

Supervisor Cohen, seconded by Supervisor Chu, moved to RESCIND the previous vote. The motion to Rescind carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Campos, seconded by Supervisor Avalos, moved that the Ordinance be AMENDED to strike language that would allow the Board to delegate authority to their Executive Director. The motion to Amend FAILED by the following vote:

Ayes: 5 - Avalos, Campos, Chiu, Kim, Olague

Noes: 6 - Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Avalos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 1 - Campos

PRIVILEGE OF THE FLOOR

Privilege of the floor was granted to Jason Elliot (Mayor's Office); Jon Givner (City Attorney's Office); who responded to questions raised throughout the discussion regarding File No. 120898.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Mar recognized the accomplishments of Todd David, Founder of Ed Match, and Michelle Parker, Parent Teacher Association, for their work in supporting the San Francisco school system and continued community support.

COMMITTEE REPORTS

120928 [Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]

Sponsor: Kim

Ordinance ordering the summary vacation of public service easement and approving sale for \$77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Chu

120872 [Reappointment, Public Utilities Commission - Ann Moller Caen]

Motion approving/rejecting the Mayor's reappointment of Ann Moller Caen, to the Public Utilities Commission, Seat No. 3, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-107

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120873 [Reappointment, Public Utilities Commission - Francesca Vietor]

Motion approving/rejecting the Mayor's reappointment of Francesca Vietor, to the Public Utilities Commission, Seat No. 1, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-108

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120874 [Reappointment, Public Utilities Commission - Vince Courtney]

Motion approving/rejecting the Mayor's reappointment of Vince Courtney, to the Public Utilities Commission, Seat No. 5, for the unexpired portion of a four-year term ending August 1, 2016. (Clerk of the Board)

Motion No. M12-109

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to the Mayor's decisions.
Vivian Curiali; expressed concerns relating to Sheriff Ross Mirkarimi.
Ms. Rosalias; expressed concerns relating to Sheriff Ross Mirkarimi.
Female Speaker; expressed concerns relating to Sheriff Ross Mirkarimi.
Female Speaker, (speaking in Spanish) expressed concerns relating to Sheriff Ross Mirkarimi.
Male Speaker, (speaking in Spanish) expressed concerns relating to Sheriff Ross Mirkarimi.
Male Speaker, expressed concerns relating to KPOO radio.
Paul Currier; expressed various concerns.
Lin Gavin; expressed concerns relating to the Sunshine Ordinance Task Force.
Male Speaker; expressed concerns relating to toxic chemical in synthetic fields.
Tom Givner; expressed concerns relating noise pollution.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed various religious concerns.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120948 [Committee of the Whole - Public Hearing - Charges of Official Misconduct Filed by Mayor Edwin Lee Against Sheriff Ross Mirkarimi]

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole for a Special Meeting on October 9, 2012, at 2:00 p.m., to hear the matter related to the charges of official misconduct filed by Mayor Edwin Lee against Sheriff Ross Mirkarimi pursuant to Charter Section 15.105. (Clerk of the Board)

Motion No. M12-111

APPROVED

120945 [Final Map 6450 - 626-628 Natoma Street]

Motion approving Final Map 6450, a Five Unit Residential Condominium Project, located at 626-628 Natoma Street being a subdivision of Lot 048 in Assessors Block No. 3727 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-112

APPROVED

120946 [Final Map 7042 - 750-2nd Street]

Motion approving Final Map 7042, a One Lot Merger and Resubdivision and a 14 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 750-2nd Street being a subdivision of Lot 002A in Assessors Block No. 3794 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-113

APPROVED

120947 [Final Map 6431 - 55 Trumbull Street, 4 Craut Street]

Motion approving Final Map 6431, a Two Lot Subdivision and 18 Residential Unit and 1 Commercial Unit Mixed-Use Condominium Project, located at 55 Trumbull Street, 4 Craut Street being a subdivision of Lot 006 & 007 in Assessors Block No. 5868, and a portion of Lot 034 in Assessor's Block No. 5867, and adopting findings pursuant to the General Plan and City Planning Code Section 101.1

Motion No. M12-114

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference

Supervisor Chiu requested that File No. 120941 be severed so that it may be considered separately.

120941 [Committee of the Whole - Public Hearing - Successor Agency to the Former Redevelopment Agency]

Sponsor: Cohen

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on September 25, 2012, at 3:00 p.m., to hold a public hearing on the Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco"; 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

The President inquired as to whether any member of the public wished to address the Board related to File No. 120941. There were no speakers.

Motion No. M12-110

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim requested that File No. 120940 be severed so that it may be considered separately.

120940 [Welcoming Daw Aung San Suu Kyi]

Sponsor: Kim

Resolution welcoming Daw Aung San Suu Kyi to the City and County of San Francisco and Honoring our Commitment to Ongoing Human Rights Struggle in Burma.

Supervisor Kim, seconded by Supervisor Wiener, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED BY THE PRESIDENT AT THE REQUEST OF A DEPARTMENT

PROPOSED ORDINANCE

120929 [Settlement of Lawsuit - City and County of San Francisco - \$95,000]

Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court.

09/14/12; RECEIVED FROM DEPARTMENT.

09/18/12; RECEIVED AND ASSIGNED to Rules Committee.

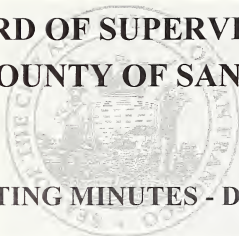
PROPOSED RESOLUTIONS

There were none.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:14 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, October 2, 2012 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

OCT 10 2012

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

**JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Farrell was noted absent. There was a quorum.

Supervisor Farrell Excused from Voting

Supervisor Chu, seconded by Supervisor Campos, moved that Supervisor Farrell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

120773 [Planning Code - Reinstating Liquor License Controls and Establishing Conditional Use Requirement for Limited Restaurants - Union Street Neighborhood Commercial District]

Sponsors: Farrell; Wiener

Ordinance amending the San Francisco Planning Code Section 725.1 to: 1) reinstate controls to prohibit liquor license types 47 and 49 in the Union Street Neighborhood Commercial District; and 2) requiring conditional use authorization for Limited Restaurants; and making environmental findings and findings of consistency with the General Plan.

FINALLY PASSED

Recommendations of the Rules Committee

120854 [Settlement of Lawsuit - Brock Rasmussen - \$175,000]

Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING

120897 [Settlement of Claim - Laurel Dawn Teixeira - \$80,000]

Resolution approving the settlement of the unlitigated claim filed by Laurel Dawn Teixeira against the City and County of San Francisco for \$80,000; claim was filed on November 7, 2011. (City Attorney)

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Eisbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120898 [Successor Agency to the Former Redevelopment Agency]

Sponsors: Mayor; Kim, Cohen and Olague

Ordinance of the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco implementing the State redevelopment dissolution law known as AB X1 26 (2011) in furtherance of the recently adopted amendments to that law known as AB 1484 and of previously adopted City policies, by: 1) acknowledging that AB 1484 provides that the Successor Agency is a separate legal entity from the City, with the Successor Agency holding all of the transferred assets and obligations of the former Redevelopment Agency (other than the affordable housing assets) distinct from the City, and with the Oversight Board performing specific functions set forth in the State redevelopment dissolution law; 2) officially naming the Successor Agency as the "Successor Agency to the Redevelopment Agency of the City and County of San Francisco;" 3) acknowledging that former Redevelopment Agency employees who became Successor Agency employees by operation of AB 26 and were assigned to R classifications, and who continued in those R classifications through the effective date of AB 1484, shall continue to be Successor Agency employees; 4) creating the Successor Agency Commission as the policy body of the Successor Agency and delegating to it the authority to act in place of the former Redevelopment Agency Commission to implement the surviving redevelopment projects, the replacement housing obligations and other enforceable obligations and the authority to take actions that the State redevelopment dissolution law requires or allows on behalf of the Successor Agency; 5) establishing the composition and terms of the members of the Successor Agency Commission, setting forth voting requirements and providing for the Successor Agency Commission to appoint an Executive Director of the Successor Agency; 6) authorizing the Successor Agency to retain the City Attorney as its legal counsel; 7) ratifying prior acts; and 8) authorizing and directing the Successor Agency Commission to take all appropriate steps to effectuate the purpose of this ordinance consistent with the State redevelopment dissolution law.

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Noes: 1 - Campos

Excused: 1 - Farrell

Recommendation of the Budget and Finance Committee**120751 [Appropriating \$543,200,000 of Proceeds from the Sale of Bonds for Capital Improvement Projects to the Airport Commission - FY2012-2013]****Sponsors: Mayor; Chiu**

Ordinance appropriating \$543,200,000 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2012-2013, and placing the total appropriation of \$543,200,000 on Controller's Reserve pending sale of the bonds.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee**120142 [Transportation Code - Large Vehicle Parking Restrictions]****Sponsors: Chu; Cohen**

Ordinance amending the San Francisco Transportation Code, Division I, Article 7, by adding Section 7.2.54 to prohibit the on-street parking of any vehicle over 22 feet in length or 7 feet in height, camp trailers, fifth-wheel travel trailers, house cars, trailer coaches, mobilehomes, recreational vehicles, or semi-trailers, as defined by the California Vehicle Code and Health and Safety Code, between the hours of 12 a.m. and 6 a.m. when Municipal Transportation Agency signs are posted giving notice; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

Excused: 1 - Farrell

120318 [Police Code - Additional Penalties for Foreclosed Properties]**Sponsor: Cohen**

Ordinance amending the San Francisco Police Code, Article 1, and adding Sections 96 to 96.6 to:

1) declare that public nuisances occurring at foreclosed properties be considered aggravating factors in imposing civil penalties and injunctive relief; 2) hold individuals and entities who own significant numbers of foreclosed properties to increased civil penalties for failing to maintain the properties; and 3) make environmental findings.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120928 [Summary Vacation of Public Service Easement; Approval of Sale of Easement Interest - 1407-1435 Market Street]**Sponsor: Kim**

Ordinance ordering the summary vacation of public service easement and approving sale for \$77,000 of City's interest in vacated easement over property located at 1407-1435 Market Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]**Sponsors: Mayor; Wiener and Olague**

Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Olague, moved that this Ordinance be CONTINUED ON FIRST READING to October 16, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

NEW BUSINESS**Recommendations of the Budget and Finance Committee****120903 [Approving Updated Security Provisions for America's Cup Lease Disposition Agreement]****Sponsor: Chu**

Resolution approving revisions to the America's Cup Lease Disposition Agreement with respect to the security for certain obligations of the City; authorizing and directing the procurement of insurance coverage for the City's satisfaction of certain of such obligations; reaffirming the direction for ongoing staff progress reports as to the implementation of the America's Cup events; and authorizing related actions.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120908 [Contract - New Flyer of America, Inc. - Low Floor Diesel-Hybrid Buses - Not to Exceed \$36,889,364]**Sponsors: Wiener; Chu**

Resolution approving a contract with New Flyer of America, Inc., for the purchase of 45 40-foot low floor diesel-hybrid buses, and related tools, training and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed \$36,889,364 for a term not to exceed six years.

Supervisor Chu requested to be added as a co-sponsor.

Privilege of the floor was granted to Nelson Howard (Municipal Transportation Authority) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120931 [Real Property License Agreement - American Towers, LLC - 99 Moultrie]**Sponsor: Mayor**

Resolution authorizing a renewal license agreement, with retroactive effective date, for telecommunications equipment from American Towers, LLC, at 99 Moultrie for use by the Department of Technology, the Department of Emergency Management, the Police Department and the Municipal Transportation Agency.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendations of the City Operations and Neighborhood Services Committee**120818 [Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]****Sponsor: Elsbernd**

Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18 to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120643 [Liquor License Transfer - 398-12th Street]

Resolution determining that the premises to premises transfer of a Type 48 on-sale general public premises liquor license from 2700-16th Street to 398-12th Street (District 6) to Mark E. Rennie for Double Rainbow, LLC, dba Roadhouse Tavern, will serve the convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120465 [Liquor License - 937 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine for public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located at 937 Geary Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120721 [Liquor License Transfer - 222 Powell Street]

Resolution determining that the transfer of a Type 48 on-sale general public liquor license from 2237 Mason Street to 222 Powell Street (District 3) to Mark E. Rennie for Sirhed Enterprises, LLC, dba Sam's Cable Car Lounge, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendations of the Land Use and Economic Development Committee**120463 [General Plan - 2012 Community Safety Element Update]**

Sponsor: Wiener

Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120464 [Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]**Sponsors: Mayor; Chiu, Kim, Wiener, Cohen and Chu**

Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

Supervisors Cohen and Chu requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendations of the Rules Committee**120921 [Appointment, Child Care Planning and Advisory Council - Alli Cuentos]**

Motion appointing Alli Cuentos, term ending March 19, 2015, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M12-115

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120925 [Appointment, Entertainment Commission - Naomi Akers]

Motion appointing Naomi Akers, term ending July 1, 2013, to the Entertainment Commission. (Clerk of the Board)

Motion No. M12-116

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120927 [Appointments, Wage Theft Task Force - Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik]

Motion appointing Ace Wiseman, Charlotte Noss, Terrence Valen, Shaw San Liu, Tina Liang Chen, Dawn Huston, Karen Heisler, and Mani Sheik, terms to be determined, to the Wage Theft Task Force. (Clerk of the Board)

Motion No. M12-117

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Recommendation of the Public Safety Committee

111239 [Police Code - Vehicle Press Cards]

Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6, to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Wild Side West in recognition of their accomplishments and continued community support.

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Officers David Sands and John Cathey of the San Francisco Police Department (Mission Community Neighborhood) in recognition of their extraordinary work, accomplishments, and continued community support. Captain Ron Moser (Police Department) shared in this commendation.

SPECIAL ORDER 4:00 P.M.

120866 [Public Hearing - Conditional Use Appeal - 175 Junipero Serra Boulevard]

Hearing of persons interested in or objecting to the decision of the Planning Commission's July 26, 2012, Conditional Use Authorization identified as Planning Case No. 2012.0348C, by its Motion No. 18674, under Planning Code Sections 209.3(f) and 303 to allow a child care facility for 15 or more children (dba Alpha Kids Academy) within an RH-1(D) (Residential, One-Family, Detached) District, and a 40-X Height and Bulk District, on property located at 175 Junipero Serra Boulevard, Assessor's Block No. 3250, Lot No. 006. (District 7) (Appellant: Margaret Finley) (Filed August 24, 2012).

The President indicated receipt of a letter from the Appellant, dated September 24, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120867 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion approving the Planning Commission's decision, by its Motion No. 18674, approving the Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M12-118

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120868 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion disapproving the Planning Commission's decision, by its Motion No. 18674, approving Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

120869 [Preparation of Findings Related to the Conditional Use Authorization - 175 Junipero Serra Boulevard]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0348C on property located at 175 Junipero Serra Boulevard. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Walter Paulson; shared in song certain concerns with the Board.

Vivian Imperiale; spoke in support for Sheriff Ross Mirkarimi.

Pedro Fernandez; spoke in support for Sheriff Ross Mirkarimi.

Eugene Gordon, Jr.; expressed various concerns.

Female Speaker; spoke in support for Sheriff Ross Mirkarimi.

Female Speaker; spoke in support for Sheriff Ross Mirkarimi.

Brenda Barros; spoke in support for Sheriff Ross Mirkarimi.

Male Speaker; expressed various concerns.

Tom Gilbert; expressed various concerns relating to noise pollution.

Anna Gabriel; spoke in support for Sheriff Ross Mirkarimi.

Peter Warfield; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various religious concerns.

Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120970 [Authorizing the Installation of a "Rosie the Riveter" Plaque - Vallejo Street at Kearny Street]

Sponsor: Chiu

Resolution authorizing the installation of a new "Rosie the Riveter" bronze sidewalk plaque to replace the existing plaque in accordance with Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance.

ADOPTED

The foregoing item was acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague, Wiener

Excused: 1 - Farrell

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120959 [Building Code Fees and Permit Extensions]

Ordinance amending the San Francisco Building Code Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4 to: 1) address permit expirations and extensions and Tables 1A-A, 1A-B, 1A-F, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A to modify various fees; and 2) make environmental findings. (Building Inspection Department)

09/24/12; RECEIVED FROM DEPARTMENT.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al.

09/21/12; RECEIVED FROM DEPARTMENT.

10/02/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

120960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs]

Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals.

09/20/12; RECEIVED FROM DEPARTMENT.

10/02/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:06 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 9, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Special Meeting

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OCT 16 2012

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DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee

Supervisors Chu, Avalos, Kim

Wednesday

11:00 AM

City and School District Select Committee

Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday

3:30 PM

City Operations and Neighborhood Services Committee

Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday

10:00 AM

Government Audit and Oversight Committee

Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday

1:00 PM

Land Use and Economic Development Committee

Supervisors Mar, Cohen, Wiener

Monday

1:00 PM

Public Safety Committee

Supervisors Avalos, Olague, Mar

1st and 3rd Thursday

10:30 AM

Rules Committee

Supervisors Kim, Farrell, Campos

1st and 3rd Thursday

1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

OFFICIAL MISCONDUCT HEARING

Board of Supervisors Sitting as a Committee of the Whole

120949 [Hearing - Determination on Charges of Official Misconduct Proceedings Against Sheriff Ross Mirkarimi]

Hearing to consider the recommendation of the San Francisco Ethics Commission related to the charges of Official Misconduct presented by Mayor Edwin Lee against Sheriff Ross Mirkarimi, pursuant to Charter Section 15.105(a). (Presented by Mayor on 3/21/12.) (Received from Ethics Commission on 9/18/12). (Clerk of the Board)

The President provided an overview of the process and inquired as to whether any member of the public wished to address the Committee of the Whole relating to determination on charges of official misconduct proceedings against Sheriff Ross Mirkarimi. Ben Hur, Chair, San Francisco Ethics Commission, provided an overview of the Ethics Commission's determination. A question and answer period followed. Sherri Kaiser (Mayor's Counsel); provided an overview of the Mayor's charges of official misconduct. A question and answer period followed. David Waggoner and Shephard Kopp (Sheriff's Counsel); provided an overview of the facts of the alleged charges of official misconduct. A question and answer period followed. Sherri Kaiser (Mayor's Counsel); provided a rebuttal and further requested the Board to sustain the charges of official misconduct. Nicole Barron; Elizabeth Curtain; Gabby Herrera; Lucia Hemon; Barbara Marquez; Beverly Upton; Male Speaker; Female Speaker; Sheila Rivera; Katherine Berg; Anne Steward; Richard Gorman; Brianne Morgan; expressed support for sustaining the charges. Abdallah Megahed; Art Agnos (Former Mayor); Diana Hamilton; Margaret Brooks; George Goyarres; James Chaffee; Paulette Brown; Hertha McGuire; James Sealy; Maurice James; Jerome May; Male Speaker; Sylvia Alvarez Lynch; Patrick Monette Shaw; Arthur Morillo; Rudy; Rosario Cervantes; Female Speaker; Nancy Kier; Female Speaker; Pierre Dayron; Emilio; Pedro Finn; Male Speaker; Jerry Anders; Mindy Enner; Paul Melbostadt; Sanford Forte; Aurora; Sylvia Ramirez; Joe Rochelle; Male Speaker; Male Speaker; Reso Ashad; Emile Lawrence; Satyr; Brenda Belles; Nick Ochapenti; Johnny Effey; Patrick Connors; Female Speaker; Ron Stokes; Patricia Forsythe; Donna Orvela; Male Speaker; Josh Wolf; Steven Hill; Michael Feinstein; Erika McDonald; Cathy Black; Cynthia; Male Speaker; Arnold Fields; Gillian Etherington; Ms. Khan; Daniel; Theresa Cooper; Female Speaker; Ernestine Weiss; Sonia Melara; Michael O'Rourke; Female Speaker; Ray Hart; Jose Morales; Nina; Lindsay Vurek; Male Speaker; Ed Kinchley; Maria Guillen; Vivian Imperiale; Beni; Male Speaker; Austin James; Male Speaker; Alicia; Tess Hawthorne; Female Speaker; Val McKenna; Female Speaker; Edward Swowski; Gus Feldman; Female Speaker; Don Backner; Emmitt Powell; Sharen Hewitt; Katie; Peter Warfield; Male Speaker; Reverend Roland Gordon; Eric Brooks; Don Eichelburg; Chris Lychel; Frank Martin del Campo; Franchesca Rosa; Moira Cyrus; Female Speaker; Julie Fisher; Zack Marks; Male Speaker; Isabel; Male Speaker; Laurie Liederman; Kimberly Hathaway; Everett; Richard Stone; Robert Meyer; Cable Holland; Steve Zeltzer; Lucy Kiefer; Laural Muniz; Christy O'Keene; Valerie Tulier; Paul Currier; Louisa; Male Speaker; Otto Duffy; Paula Canny; Male Speaker; Lia; David Elliot Lewis; Rosa Moss; Rod Cayman; Ann Garrison; Robert Newman; Ace Washington; Female Speaker; Chad Connor; Tammy Bryant; Female Speaker; Tad Buckner; Larry Juicye Edmond; Alex; Female Speaker; Female Speaker; Male Speaker; expressed opposition for sustaining the charges. Male Speaker; spoke neither in support or opposition to the charges. Paul Currier; expressed various concerns (See additional information submitted on Page 5). There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

120950 [Determination - Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]

Motion sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

120951 [Determination - Not Sustaining the Charges of Official Misconduct Against Sheriff Ross Mirkarimi]

Motion not sustaining the charges of Official Misconduct against Sheriff Ross Mirkarimi presented by Mayor Edwin Lee. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Wiener

Noes: 4 - Avalos, Campos, Kim, Olague

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

GENERAL PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Otto Duffy, expressed various concerns.

Steve Hill; expressed concerns relating to public comment.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED RESOLUTIONS

120980 [Expansion of Authority Regarding Lease - 1455 Market Street]

Resolution authorizing additional allowance of up to \$10.00 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of \$3,809.27 per month for property located at 1455 Market Street. (Real Estate Department)

10/01/12; RECEIVED FROM DEPARTMENT.

10/09/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

120981 [Approval of Construction of Structures in Union Square Park for Central Subway Project]

Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

10/01/12; RECEIVED FROM DEPARTMENT.

10/09/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

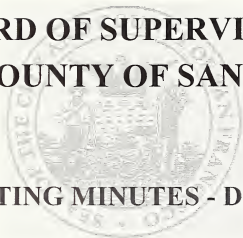
There being no further business, the Board adjourned at the hour of 11:03 p.m.

ADDENDUM

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Paul Currier submitted the following additional information during the hearing relating to File No. 120949 as follows: All through these hearings of the Mayor's charges against the Sheriff, the Ethics Commission violated the Brown Act and the San Francisco Sunshine Ordinance. None of the proceedings were properly agendized. None of the minutes were issues in a timely manner, according to law. Public records were not made available to the public. And the charges shape/shifted without any specificity open to review or public comment. In fact, this October 9, 2012, hearing of the Board of Supervisors is improperly agendized. The Ethics Commission and the Board of Supervisors have committed official misconduct.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, October 16, 2012 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

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DAVID CHIU, PRESIDENT

**JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
10:00 AM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Mar was noted absent.

Supervisor Mar was noted present at 2:06 p.m.

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121000 [Formal Policy Discussions - October 16, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. I recently introduced legislation that will address the relative lack of access to fresh food in some of our neighborhoods, including the Outer Richmond, where many seniors do not have enough stores that can provide for their nutritional needs. The Healthy Food Retailer Incentives Program will coordinate the critically needed efforts of the Office of Economic and Workforce Development and the Department of Public Health that are already underway. These pilot programs in the Tenderloin and the Bayview are helping convenience and corner stores move away from a reliance on alcohol and tobacco products to be able to provide fresh produce and other healthy foods to those neighborhoods that need healthy options the most. My legislation will help to sustain and expand these efforts. I would like to know if you will support this effort and commit to helping us fund the OEWD staff position that will coordinate our new Fresh Food Retailer Incentives Program? (Supervisor Mar, District 1)

2. San Francisco is facing a \$4 billion retiree health care liability. What is your Administration doing to address this challenge? (Supervisor Chiu, District 3)

3. I believe that I am not alone among my colleagues on the Board of Supervisors when I respectfully submit that Mayoral Question Time is not as useful as it could be. I would appreciate the opportunity to engage with you about important policy issues facing my district and the City, but I do not believe that the current structure of Question Time allows for the kind of meaningful dialogue some of us would like to see. Would you support restructuring Mayoral Question Time in order to allow members of the Board of Supervisors to ask follow-up questions and engage in a dialogue with you about the critical issues facing our city and residents? (Supervisor Campos, District 9)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Government Audit and Oversight Committee

120803 [Urging Relocation and Broadcasting of the Housing Authority Meetings]

Sponsors: Olague; Campos, Chiu, Kim and Mar

Resolution urging the Commission of the Housing Authority of the City and County of San Francisco to hold its meetings at City Hall and broadcast them for greater public access.

ADOPTED

Recommendation of the Rules Committee

120929 [Settlement of Lawsuit - City and County of San Francisco - \$95,000]

Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

120818 [Administrative Code - Repealing Provisions Extending the Expiration Date of the 2003 Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance]

Sponsor: Elsbernd

Ordinance amending the San Francisco Administrative Code by: 1) repealing Section 12D.A.22 and amending Section 14B.18 to repeal provisions extending expiration of Chapter 12D.A in the event the injunction in Coral Construction, Inc., v. City and County of San Francisco (S.F. Sup. Ct. No. 421249) is lifted or stayed; and 2) amending a cross-reference to Section 14B.18 in Section 14B.13(D)(5).

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120463 [General Plan - 2012 Community Safety Element Update]

Sponsor: Wiener

Ordinance amending the San Francisco General Plan by adopting the 2012 Community Safety Element update; and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b). (Planning Commission)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120464 [Planning Code - Threshold for Application of Inclusionary Affordable Housing Program]**Sponsors:** Mayor; Chiu, Kim, Wiener, Cohen and Chu

Ordinance amending the San Francisco Planning Code Section 415.3 to: 1) provide that, as of January 15, 2013, the requirements of the Inclusionary Affordable Housing Program apply only to housing projects of 10 units or more and will no longer apply to buildings of 5 to 9 units that have not yet received a first construction document; 2) make conforming amendments to Planning Code Section 419.3 related to the Application of the UMU Affordable Housing Requirements to clarify that those requirements only apply to housing projects of 10 units or more; and 3) condition operation of the Ordinance on the adoption and implementation of the Housing Trust Fund Charter Amendment at the November 6, 2012, election; setting an operative date; and making environmental findings and findings of consistency with the General Plan.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]**Sponsors:** Mayor; Wiener and Olague

Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Chu, moved that this Ordinance be **CONTINUED ON FIRST READING** to November 20, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Public Safety Committee**111239 [Police Code - Vehicle Press Cards]**

Ordinance amending San Francisco Police Code Sections 939, 939.1, 939.3, 939.5, and 939.7, and repealing San Francisco Police Code Sections 939.2, 939.4, and 939.6, to remove the Chief of Police's authority to issue or regulate Vehicle Press Cards. (Municipal Transportation Agency)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee**120854 [Settlement of Lawsuit - Brock Rasmussen - \$175,000]**

Ordinance authorizing settlement of the lawsuit filed by Brock Rasmussen against the City and County of San Francisco for \$175,000; the lawsuit was filed on January 11, 2010, in San Francisco Superior Court, Case No. CGC-10-495963; entitled Brock Rasmussen v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

120904 [Real Property Lease - 2650 Bayshore Boulevard - Towed Car Operations and Other Transit Related Uses]

Sponsor: Elsbernd

Resolution authorizing the lease of an approximate 12.72 acre property with 255,420 rentable square feet of warehouse, office and parking lot space at 2650 Bayshore Boulevard, Daly City, California, from Prologis, L.P. for a 20-year term, plus two five-year extension options, at an initial annual base rent of \$2,449,642 with annual increases, for the San Francisco Municipal Transportation Agency's towed car operations and other transit related uses.
(Fiscal Impact)

Privilege of the floor was granted to Kerstin Magary (MTA) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 8 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 3 - Avalos, Campos, Olague

Recommendations of the Budget and Finance Committee

120905 [Accept and Expend Grant - Twin Peaks Trail System Improvements - \$131,041]

Sponsor: Elsbernd

Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of \$131,041 from the California Department of Parks and Recreation for the Twin Peaks Trail System Improvements.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120906 [Approval of Amendment to the Construction Management Services Agreement for the Laguna Honda Hospital Replacement Program - \$16,805,733]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the construction management services agreement with Cooper Pugeda Management, Inc. for the Laguna Honda Hospital Replacement Program from \$16,694,421 to \$16,805,733.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120907 [Accept and Expend Grant - South of Market Alleyways Improvement Project - \$1,381,000]**Sponsor: Kim**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of \$1,381,000 from the Metropolitan Transportation Commission for the South of Market Alleyways Improvement Project.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120909 [Contract Approval - Complete Coach Works - 80 Neoplan Diesel Buses Rehabilitation - Not to Exceed \$19,105,885.60]**Sponsor: Wiener**

Resolution approving Contract No. CPT 631, Neoplan rehabilitation, between the City and County of San Francisco and Complete Coach Works to rebuild major systems and components on approximately 80 standard Neoplan diesel buses, in an amount not to exceed \$19,105,885.60, and for a term not to exceed six years, with expenditures limited to \$12 million pending certification of additional funding.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120910 [Approval of the Comprehensive HIV Prevention Programs Application - \$9,523,313]**Sponsor: Wiener**

Resolution authorizing the San Francisco Department of Public Health to submit a one-year application for calendar year 2013 to continue to receive funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention, requesting \$9,523,313 in HIV prevention funding for San Francisco; from January 1, 2013, through December 31, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120934 [Ratification of Prior Action - Lease Option at 555-575 Polk Street]**Sponsor: Kim**

Resolution ratifying an option for the lease of 9,000 square feet at 555-575 Polk Street with Mattison Family Trust.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120935 [Accept and Expend Grant - Certified Unified Program Agency Electronic Reporting - \$109,492]**Sponsor: Mar**

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$109,492 from California Environmental Protection Agency to participate in a program entitled "Certified Unified Program Agency Electronic Reporting" for the period of January 1, 2010, through March 31, 2013, waiving indirect costs.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120936 [Accept and Expend Grant - Energy Efficiency Program - \$156,000]**Sponsor: Mar**

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$156,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco during 2012.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120938 [Agreement with Pacific Gas and Electric Company to Connect a Solar Power Project]**Sponsor: Wiener**

Resolution authorizing the San Francisco Public Utilities Commission General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company for a solar power project at the Alvarado Elementary School pursuant to San Francisco Charter Section 9.118(b).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120968 [Accept and Expend - FY2011 CalHome Grant - \$1,500,000]**Sponsor: Mayor**

Resolution authorizing the Mayor's Office of Housing to accept and expend the FY2011 CalHome grant from the California Department of Housing and Community Development in a total amount of \$1,500,000 and to expend program income from associated loan repayments to assist low-income first-time homebuyers and low-income homeowners.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120969 [Approval of the Ryan White Act HIV/AIDS Emergency Relief Grant Program Application - \$36,118,233]**Sponsors: Mayor; Wiener**

Resolution authorizing the San Francisco Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) grant from the Health Resources Services Administration, requesting \$36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2013, through February 28, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Government Audit and Oversight Committee**120750 [Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]****Sponsors: Mayor; Chu**

Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120787 [Board Response - Civil Grand Jury Report - Surcharges and Healthy San Francisco: Healthy for Whom?]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Surcharges and Healthy San Francisco: Healthy for Whom?" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

120884 [Accept and Expend Grant - Self-Contained Breathing Apparatus Inventory - \$1,514,184]**Sponsor: Farrell**

Resolution authorizing the San Francisco Fire Department to accept and expend a grant in the amount of \$1,514,184 from the Federal Emergency Management Agency to upgrade and replace its self-contained breathing apparatus inventory.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee**120299 [Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Administrative Code by amending Chapter 41A to 1) extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments; (2) allow civil actions to be brought by certain non-profit entities; (3) revise enforcement procedures; and 4) making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120774 [Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]

Sponsor: Wiener

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120352 [Administrative Code - Housing Preservation and Production]

Sponsors: Olague; Kim, Campos and Mar

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Privilege of the floor was granted to AnMarie Rodgers (Planning Department) who responded to questions raised throughout the discussion.

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING to October 23, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Rules Committee

111160 [Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]

Sponsor: Kim

Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120858 [Appointments, Commission of Animal Control and Welfare - Annemarie Fortier, Susana Russo, and Shari B. O'Neill]

Motion appointing Annemarie Fortier, Susanna Russo, and Shari B. O'Neill, terms ending April 30, 2014, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Motion No. M12-119

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120954 [Appointment, Graffiti Advisory Board - Paul Giusti]

Motion appointing Paul Giusti, term ending April 10, 2013, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M12-120

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120956 [Appointments, Immigrant Rights Commission - Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani]

Motion appointing Vera Haile, Haregu Gaime, Teresa Chee, and Elahe Enssani, terms ending June 6, 2014, to the Immigrant Right Commission. (Clerk of the Board)

Motion No. M12-121

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120977 [Appointment, Sunshine Ordinance Task Force - Bruce Oka]

Motion appointing Bruce Oka, term ending April 27, 2013, to the Sunshine Ordinance Task Force. (Clerk of the Board)

Motion No. M12-122

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Olague, moved that Supervisor Mar be excused from voting on File No. 120958. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Excused: 1 - Mar

120958 [Appointment, California State Association of Counties - Supervisor Eric Mar]

Motion appointing Supervisor Eric Mar, term ending November 28, 2013, to the California State Association of Counties Board of Directors. (Clerk of the Board)

Motion No. M12-123

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Excused: 1 - Mar

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Olague, seconded by Supervisor Campos, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Elizabeth Jones for her committed service to the Westside Courts public housing community.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.

James Chaffee; expressed concerns relating to the SF Public Library.

Ray Hartz; expressed concerns relating to government.

Walter Paulson; shared in song certain concerns with the Board.

Eugene Gordon, Jr.; expressed various concerns.

Tom Gilbert; expressed various concerns relating to noise pollution.

Douglas Yep; expressed various concerns.

Male Speaker; expressed various religious concerns.

Male Speaker; expressed various concerns.

Female Speaker; spoke in support for Senior Action Network.

Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

120990 [Reducing Greenhouse Gas Pollution Under the Clean Air Act]

Sponsors: Chiu; Kim

Resolution in support of reducing greenhouse gas pollution under the Clean Air Act.

ADOPTED

120978 [Final Map 7086 - 248 Ocean Avenue]

Motion approving Final Map 7086, a Five Residential Unit and One Commercial Unit Mixed-Use Condominium Project, located at 248 Ocean Avenue being a subdivision of Assessors Block No. 3211, Lot No. 009 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-124

APPROVED

120979 [Final Map 7077 - 38 Harriet Street]

Motion approving Final Map 7077, a 23 Unit Residential Condominium Project, located at 38 Harriet Street being a subdivision of Assessors Block No. 373, Lot No. 243 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1.

Motion No. M12-125

APPROVED

120995 [Final Map 7186 - 537-541 Natoma Street]

Motion approving Final Map 7186, a 13 Residential Unit Condominium Project, located at 537-541 Natoma Street being a subdivision of Assessors Block No. 3726, Lot No. 047 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1. (Public Works Department)

Motion No. M12-126

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Wiener requested that File No. 120991 be severed so that it may be considered separately.

120991 [Support of Statewide Education Funding Initiatives]

Sponsor: Mar

Resolution urging the Board of Supervisors to support statewide education funding initiatives to help San Francisco's public educational system.

Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 2, beginning on Line 14, by adding 'FURTHER RESOLVED, That the San Francisco Board of Supervisors expresses its strong disapproval of recent attacks on Proposition 30 and requests that the supporters of Propositions 30 and 38 refrain from attacking one another.' The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Legislation Introduced by the President at the Request of Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062, entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

120993 [Settlement of Unlitigated Claim - Trico Construction - \$440,000]

Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against San Francisco for \$440,000. (City Attorney's Office)

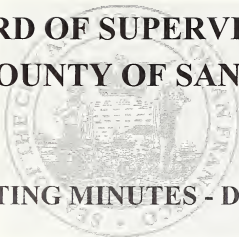
10/04/12; RECEIVED FROM DEPARTMENT.

10/16/12; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:31 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, October 23, 2012 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

OCT 26 2012

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PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

**JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisor Chu was noted absent. There was a quorum.

Supervisor Chu Excused from Voting

Supervisor Avalos, seconded by Supervisor Farrell, moved that Supervisor Chu be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 4, 2012, and September 11, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

120750 [Administrative Code - Retention of Progressive Payments for Public Works Construction Contracts]

Sponsors: Mayor; Chu

Ordinance amending the San Francisco Administrative Code Section 6.22(J) to reduce the amount of retention withheld from progress payments in construction contracts from ten to five percent; and to make minor clarifying corrections.

FINALLY PASSED

120939 [Revising the 2012 Budget and Legislative Analyst's Performance Audit Schedule]**Sponsor: Farrell**

Motion revising the Budget and Legislative Analyst's 2012 Performance Audit Schedule to revise the priorities as follows: 1) Department of Public Health and Human Services Agency management of professional services contracts; 2) Adult Probation and Sheriff's departments implementation of Public Safety Realignment; and 3) City departments management and oversight of the former San Francisco Redevelopment Agency assets and functions.

Motion No. M12-127**APPROVED****Recommendations of the Land Use and Economic Development Committee****120299 [Administrative Code - Extending Restrictions of the Apartment Conversion Ordinance to Business-Sponsored Short Term Occupancies; Allowing Civil Actions by Certain Non-Profit Entities; Revising Enforcement Procedures]****Sponsors: Chiu; Mar**

Ordinance amending the San Francisco Administrative Code by amending Chapter 41A to 1) extend the restrictions against converting apartment units to short-term occupancies to tenants or guests of business entities that rent such apartments; (2) allow civil actions to be brought by certain non-profit entities; (3) revise enforcement procedures; and 4) making environmental findings.

FINALLY PASSED**120774 [Planning Code - Permitting a Five Feet Ground Floor Height Increase for Active Ground Floor Uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) amending Section 263.20 to permit a five feet ground floor height increase for active ground floor uses in the Castro Street and the 24th Street - Noe Valley Neighborhood Commercial Districts; 2) replacing the figure in Section 263.20; 3) amending Sections 715.1 and 728.1 to make reference to this height exception; and 4) making findings including environmental findings and findings of consistency with Planning Code Section 101.1 and the General Plan.

FINALLY PASSED**Recommendations of the Rules Committee****111160 [Business and Tax Regulations Code - Revisions to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area]****Sponsor: Kim**

Ordinance amending the San Francisco Business and Tax Regulations Code Section 906.3-1 to clarify how members of the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area shall be appointed for their initial terms.

FINALLY PASSED

120929 [Settlement of Lawsuit - City and County of San Francisco - \$95,000]

Ordinance authorizing settlement of a lawsuit for breach of contract, declaratory judgment and permanent injunction filed by the City and County of San Francisco against Geary Courtyard Associates, ERP Operating Limited Partnership and Equity Residential, for \$95,000; the lawsuit entitled City and County of San Francisco v. Geary Courtyard Associates, et al., Case No. CGC 12-520504, filed May 4, 2012, in San Francisco Superior Court. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

120352 [Administrative Code - Housing Preservation and Production]

Sponsors: Olague; Kim, Campos and Mar

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be CONTINUED ON FIRST READING to October 30, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120932 [Accept and Expend Grant - Foreclosure Crisis Relief Fund - \$399,442]

Sponsor: Avalos

Resolution authorizing the Office of the District Attorney to retroactively accept and expend a grant in the amount of \$399,442 through the California Department of Justice for a program entitled "Foreclosure Crisis Recovery Program" for the period of July 1, 2012, through June 30, 2013.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120933 [Accept and Expend Grant - Compensation for Crime Victims - Not to Exceed \$714,138]**Sponsor: Avalos**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to \$714,138 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Joint Powers Agreement" for the period of July 1, 2012, through June 30, 2015.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120937 [Accept and Expend Grant - Glen Canyon Creekside Loop Trail Improvements - \$163,587]**Sponsor: Wiener**

Resolution authorizing the Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant in the amount of \$163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Resolution authorizing the Recreation and Park Department to retroactively accept and expend a Habitat Conservation Fund Grant in the amount of \$163,587 from the California Department of Parks and Recreation for the Glen Canyon Creekside Loop Trail Project for the period of July 1, 2011, through June 30, 2031.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120944 [Accept and Expend Grant - Criminal Restitution Compact - Not to Exceed \$85,658]**Sponsor: Avalos**

Resolution authorizing the Office of the District Attorney to retroactively accept and expend up to \$85,658 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2012, through June 30, 2013.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs - FY2013-2014]

Resolution supporting FY2013-2014 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120988 [Accept and Expend Grant - Assistive Technology California Disability Employment Initiative - \$105,000]**Sponsor: Mayor**

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend a grant in the amount of \$105,000 from the US Department of Labor, passed through California Employment Development Department for the Assistive Technology California Disability Employment Initiative for the period of October 1, 2011, through September 30, 2014.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Recommendation of the Government Audit and Oversight Committee**120793 [Board Response - Civil Grand Jury Report - Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy]**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Where There's Smoke... The Need to Strengthen the Art Commission's Stewardship of San Francisco's Cultural Legacy" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Recommendations of the Land Use and Economic Development Committee**120812 [Administrative Code - Public Housing Right to Return to Revitalized Housing]****Sponsors: Olague; Cohen and Mar**

Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120886 [Purchase and Sale Agreement - Former Waller Street, from Laguna Street to Buchanan Street - Regents of the University of California]**Sponsor: Wiener**

Resolution authorizing: 1) acceptance of a Purchase and Sale Agreement for former Waller Street, from Laguna Street to Buchanan Street; 2) acceptance of Restrictive Easement against former Waller Street as a condition of the sale; 3) adopting environmental findings and findings that the transaction contemplated is consistent with the San Francisco General Plan and the eight priority policies of the San Francisco Planning Code; and 4) authorizing the Director of Property, or designee, to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120981 [Approval of Construction of Structures in Union Square Park for Central Subway Project]

Resolution approving, under Charter Section 4.113, construction of surface and subsurface structures in Union Square Park for the Central Subway Project's Union Square Market Street Station. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

RESTAURANT APPRECIATION MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:

*Supervisor Avalos recognized Broken Record; and
Supervisor Cohen recognized Skool; and
Supervisor Campos recognized Mission Bowling Club; and
Supervisor Wiener recognized Castro Tarts; and
Supervisor Kim recognized Sam's Diner; and
Supervisor Olague recognized Nopa; and
Supervisor Elsbernd, on behalf of Supervisor Chu, recognized Parkside Tavern; and
Supervisor Chiu recognized Bottle Cap; and
Supervisor Farrell recognized Delfina; and
Supervisor Mar recognized Beach Chalet; and
Hydra Mendoza, on behalf of Mayor Lee, recognized Old Skool Cafe.*

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Zendesk in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

120849 [Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Wiener, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

The President CONTINUED the Hearing open to November 20, 2012.

120850 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120851 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120852 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Campos, moved that this Motion be CONTINUED to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to government.
Eugene Gordon, Jr.; expressed various concerns.
Male Speaker; expressed various religious concerns.
Walter Paulson; shared in song certain concerns with the Board.
Darryl Spencer; expressed support for transit in North Beach.
Male Speaker; expressed concerns relating to toxic infill materials.
Male Speaker; expressed various concerns.
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121022 [Multifamily Housing Revenue Bonds - 1401-1415 Mission Street - Not to Exceed \$50,000,000]

Sponsor: Kim

Resolution declaring its intent to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to authorize the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$50,000,000 for a 121-unit residential rental housing development to be located at 1401-1415 Mission Street; authorizing and directing the Director to request the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to CDLAC if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$50,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

ADOPTED

121024 [Domestic Violence Awareness Month - October 2012]

Sponsor: Mar

Resolution ratifying that the Board of Supervisors declares the month of October 2012 as Domestic Violence Awareness Month in the City and County of San Francisco.

ADOPTED

121025 [City Employees to Assist the Department of Elections - November 6, 2012, Consolidated Primary Election]**Sponsor: Chiu**

Motion granting a waiver from the prohibition imposed by Charter Section 13.104.5, to permit City employees to assist the Department of Elections with the November 6, 2012, Consolidated Primary Election.

Motion No. M12-128**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor**

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES**121004 [Planning Code - Market Street Masonry Historic District]**

Sponsor: Kim

Ordinance amending the San Francisco Planning Code by adding a new Appendix M to Article 10 (Preservation of Historical, Architectural and Aesthetic Landmarks) to: 1) create the Market Street Masonry Historic District, a discontinuous landmark historic district; and 2) make findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1(b).

10/10/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

Supervisor Kim requested to be added as sponsor.

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]

Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; and authorizing similar mitigation agreements with other projects in the future; and appropriating funds from these agreements to pay the costs of mitigation work. (City Attorney's Office)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.

121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]

Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500.00; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

121015 [Settlement of Lawsuit - Acquila Yeargin - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

121003 [Street Artist Spaces - Hallidie Plaza - East of 5th Street]

Resolution approving re-designation of 47 selling spaces at Hallidie Plaza, east of 5th Street, for street artists certified by the Arts Commission, City and County of San Francisco; exempting said spaces for one year from the regulations of Police Code Section 2405(c)(3), (4), and (11), relating to size of space and distance between street artists. (Arts Commission)

10/11/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121006 [Master Lease Extension - 2176-78 Mission Street]

Resolution authorizing the extension of a Master Lease of Real Property at 2176-78 Mission Street for the Department of Public Health. (Real Estate Department)

10/12/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121009 [Master Lease Amendment - Treasure Island Fire Fighting Training Center]

Resolution approving the Fourth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term. (Treasure Island Development Authority)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121011 [Proposition J Contract/Certification of Specified Contracted-Out Services - Public Utilities Commission Security Services]

Resolution concurring with the Controller's certification that services can be performed by private contractor for a lower cost than similar work performed by City and County employees for night and weekend security services at San Francisco Public Utilities Commission's offices on 525 Golden Gate Avenue. (Public Utilities Commission)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121012 [Adopting CEQA Findings - Geary Road Bridge Project]

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CUW26403, the Geary Road Bridge Project, in Alameda County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

10/15/12; RECEIVED FROM DEPARTMENT.

10/23/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:30 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 30, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

NOV - 2 2012

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Farrell, Elsbernd, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Campos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Chu was noted absent. There was a quorum.

Supervisor Chu Excused from Voting

Supervisor Campos, seconded by Supervisor Olague, moved that Supervisor Chu be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 18, 2012, and September 25, 2012.. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Rules Committee

120955 [Appointments, Balboa Park Station Community Advisory Committee - Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia]

Motion appointing Nicole Agbayani, Rita Evans, David Mauroff, William L. Walker, Daniel Weaver, and Veronica Garcia, terms to be determined, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

Motion No. M12-129

APPROVED

121005 [Appointment, Graffiti Advisory Board - Michael Grgich]

Motion appointing Michael Grgich, term ending April 10, 2013, to the Graffiti Advisory Board. (Clerk of the Board)

Motion No. M12-130

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

120812 [Administrative Code - Public Housing Right to Return to Revitalized Housing]

Sponsors: Olague; Cohen and Mar

Ordinance amending the San Francisco Administrative Code by: 1) adding Chapter 39, Sections 39.1 through 39.9, to establish the San Francisco Right to Revitalized Housing Ordinance and set City policy regarding the Right to Return to Revitalized Public Housing Units; and 2) adding Section 37.6(n) to establish new powers for the San Francisco Residential Rent Stabilization and Arbitration Board in connection with the new San Francisco Right to Revitalized Housing Ordinance.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120352 [Administrative Code - Housing Preservation and Production]**Sponsors: Olague; Kim, Campos and Mar**

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.
(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Campos, moved that this Ordinance be **CONTINUED ON FIRST READING** to November 20, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

NEW BUSINESS**Recommendations of the Budget and Finance Committee****120985 [CEQA Findings - San Antonio Backup Pipeline Project in Alameda County]****Sponsor: Chu**

Resolution adopting findings under the California Environmental Quality Act (CEQA), including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, related to the San Antonio Backup Pipeline Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120986 [Lease - Transportation Security Administration - International Terminal and Terminal 2]**Sponsor: Elsbernd**

Resolution approving and authorizing the execution of Lease No. GS-09B-03014 with the Transportation Security Administration for terminal space to be occupied by the U.S. Transportation Security Administration, a Federal agency, in the International Terminal and Terminal 2 of the San Francisco International Airport with a term of five years.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

121021 [Multifamily Housing Revenue Note - Candlestick Heights Apartments - 833-881 Jamestown Street - Not to Exceed \$70,000,000]**Sponsor: Cohen**

Resolution authorizing the issuance and delivery of a multifamily housing revenue note in a principal amount not to exceed \$70,000,000 for the purpose of providing financing for the acquisition and construction of a 196-unit multifamily residential rental housing project located at 833-881 Jamestown Street, known as Candlestick Heights Apartments: 1) approving the form of and authorizing the execution of a funding loan agreement; 2) approving the form of and authorizing the execution of a borrower loan agreement; 3) providing the terms and conditions of the note and authorizing the execution and delivery thereof; 4) approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; 5) authorizing the collection of certain fees; 6) approving modifications, changes, and additions to the documents; 7) granting general authority to City officials to take actions necessary to implement this Resolution; and 8) ratifying and approving any action heretofore taken in connection with the note and the project.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

From the Budget and Finance Committee Without Recommendation**120980 [Expansion of Authority Regarding Lease - 1455 Market Street]**

Resolution authorizing additional allowance of up to \$5.10 per rentable square foot for construction of improvements amortized by Landlord over initial term of seven years at eight percent to be paid as additional rent in the amount of \$1,929.10 per month for property located at 1455 Market Street. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

Recommendations of the City Operations and Neighborhood Services Committee**120277 [Liquor License - 1059 Hyde Street]**

Resolution determining that the issuance of a Type 20 off-sale general license to LandMark Retail Group for CVS Pharmacy, located at 1059 Hyde Street (aka 1401 California Street) (District 3), will serve the public convenience and necessity of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu

120729 [Liquor License Transfer - 165 Jefferson Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 247 Powell Street to 165 Jefferson Street (District 3), to Nick Bovis for the GDL SFO Inc., will serve the public convenience and necessity of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120826 [Liquor License - 810 Van Ness Avenue]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Roger Abuyaghi (Nob Hill Restaurant Ventures Inc.) for After Five, located at 810 Van Ness Avenue (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120865 [Liquor License Transfer - 1201 Minnesota Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2200 Jerrold Avenue to 1201 Minnesota Street (District 10), to Nelly Ghassan for the Gifted Basket, will serve the public convenience and necessity of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120878 [Liquor License - 1115-1117 Market Street]

Resolution determining that the issuance of a Type 64 special on-sale general theater license to Jason Seifer for the American Conservatory Theatre Foundation, dba The Costume Shop, located at 1115-1117 Market Street (District 6), will serve the public convenience and necessity of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Recommendations of the Land Use and Economic Development Committee**120220 [Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]**

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]**Sponsor: Chiu**

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

121033 [Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]**Sponsors: Campos; Chiu**

Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Supervisor Chiu requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Recommendation of the Rules Committee**120815 [Health Code - Bed Bug Infestation Prevention, Treatment, Disclosure and Reporting]****Sponsors: Kim; Campos**

Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to San Francisco Poet Laureate Alejandro Murguía in recognition of his accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented Certificates of Honor to Richmond District Poets Susan Terence, David Volpendesta, and Christopher Carsi in recognition of their accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Karim Mayfield, NABO Junior Welterweight Champion, in recognition of his accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented a Certificate of Honor to Linda Avery-Herbert in honor of 30 years of service to the City and County of San Francisco upon her retirement.

MENTAL HEALTH AWARENESS MONTH

Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Mental Health Awareness Month, their accomplishments, and their continued community support as referenced below:

Supervisor Avalos recognized Ines Bettencourt; and

Supervisor Campos recognized Laura Guzman (Director, Mission Neighborhood Resource Center); and

Supervisor Chiu recognized Nancy Lim-Yee, LCSW (Program Director, Chinatown Child Development Center); and

Supervisor Cohen recognized Wanda Materre and Lavone King; and

Supervisor Elsbernd recognized Fred Martin; and

Supervisor Farrell recognized Lynn Fuller; and

Supervisor Farrell, on behalf of Supervisor Chu, recognized Officer Rich Jue (Taraval Police Station); and

Supervisor Kim recognized Seth Katzman (Director, Supportive Housing & Community Services); and

Supervisor Mar recognized Alison Ching and Yuka Hachiuma; and

Supervisor Olague recognized Kia Wallace (Director, Ajani Community Case Management from West Side Services)

Supervisor Wiener recognized Sergeant Kelly Dunn; and

Former Supervisor Bevan Dufty, Director, Housing Opportunity, Partnerships and Engagement (HOPE), representing on behalf of Mayor Lee, recognized Jason Albertson and Jo Robinson.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Elsa Casillos; expressed concerns relating to violence in the community.
Male Speaker; expressed various religious concerns.
Eugene Gordon, Jr.; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Female Speaker; expressed various concerns.
John DiDonna; shared in poem certain concerns with the Board.
Male Speaker; expressed various concerns.
Peter Alexander; expressed various concerns.
Doug Mollary; expressed concerns relating to child abductions.
Mary Morrison; expressed concerns relating to domestic terrorism.
John Jankle; expressed concerns relating to mass murders.
Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.*

Supervisor Elsbernd was noted absent at 5:11 p.m. for the remainder of the meeting.

Supervisor Avalos, seconded by Supervisor Kim, moved to reopen Public Comment. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener

Excused: 1 - Chu

Absent: 1 - Elsbernd

*Female Speaker; expressed various concerns.
Sala-Haqueenyah Chandler; expressed concerns relating to Bayview and mental health.
David Elliott Lewis; spoke in support of mental health awareness.*

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121040 [Bid to Host and Support for the 2016 and 2017 Super Bowl]

Sponsors: Farrell; Chiu

Resolution recognizing the formation of the 2016 and 2017 Super Bowl Bid Committee and declaring the Board of Supervisor's support to host the Super Bowl in 2016 and 2017.

ADOPTED

- 121049 [Supporting the Passage of Senate Bill 637 and House of Representative Bill 3125 - Earthquake Insurance Affordability Act]**
Sponsor: Mar
Resolution supporting the passage of Senate Bill 637 and House of Representative Bill 3125, which would enact the Earthquake Insurance Affordability Act.
ADOPTED
- 121050 [Linda Avery-Herbert Day - October 30, 2012]**
Sponsors: Olague; Campos, Chiu, Farrell, Wiener and Mar
Resolution declaring October 30, 2012, as Linda Avery-Herbert Day in the City and County of San Francisco.
ADOPTED
- 121051 [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by: 1) adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets; 2) amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes; 3) amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District; and 4) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
ADOPTED
- 121052 [Approval of a 45-Day Extension for Planning Commission Review of Establishing the Divisadero Street Neighborhood Commercial District (File No. 120796)]**
Sponsor: Olague
Resolution extending by 45 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120796) amending the San Francisco Planning Code by: 1) adding Section 743.1 to establish the Divisadero Neighborhood Commercial District; 2) repealing the Divisadero Street Alcohol Restricted Use District established in Section 783; 3) amending Section 151.1 and a portion of Table 151.1, Sections 263.20, 607.1(f), and 702.3, the specific provisions of the Section 711 Zoning Control Table, and Section 790.55 to make conforming and other technical changes; 4) amending Sheets ZN02 and ZN07 of the Zoning Map to include the Divisadero Neighborhood Commercial District; 5) amending Sheet SU02 of the Zoning Map to delete the Divisadero Street Alcohol Restricted Use Special Use District; and 6) adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
ADOPTED
- The foregoing items were acted upon by the following vote:**
Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Olague, Wiener
Excused: 1 - Chu
Absent: 1 - Elsbernd

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemester, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson et al. v. City and County of San Francisco. (City Attorney)

10/19/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

121032 [Agreement - SFO Shuttle Bus Company - Shuttle Bus Services]

Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission. (Airport Commission)

10/18/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121034 [Real Property Lease - 1380 Howard Street - Community Behavioral Health Services]

Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional 5 years from January 1, 2013, through December 31, 2017. (Real Estate Department)

10/18/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121035 [Real Property Lease - Cort Family Living Trust - 760 Harrison Street - Department of Public Health]

Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional 5 years from July 1, 2012, to June 30, 2017. (Real Estate Department)

10/18/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121037 [Airport Lease Agreements - Cellular Service Equipment Sites]

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership dba Verizon Wireless. (Airport Commission)

10/19/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121038 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of thirty Avigation Easements from various property owners in San Mateo County required for the San Francisco International Airport's Noise Insulation Program; adopting findings that the Project is Categorically Exempt from environmental review under the California Environmental Quality Act Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and Mayor to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

10/22/12; RECEIVED FROM DEPARTMENT.

10/30/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:24 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 6, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Elsbernd, Wiener, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Avalos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of October 2, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

120220 [Planning Code - Signage Requirements for Privately-Owned Public Open Spaces]

Sponsor: Chiu

Ordinance amending the San Francisco Planning Code to: 1) consolidate into Section 138 the requirements for privately-owned public open space; 2) create a new Zoning Administrator Bulletin that will contain detailed design and graphics requirements for the required informational plaques; and 3) make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and Planning Code Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120882 [Administrative Code - Board of Supervisors Review of Affordable Housing Trust Fund]

Sponsor: Chiu

Ordinance amending the San Francisco Administrative Code by adding Section 1.60 to require the Mayor's Office of Housing and the Planning Department to report to the Board of Supervisors every five years on the implementation of Charter Section 16.110, the Affordable Housing Trust Fund Charter Amendment.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121033 [Planning Code - Limited Commercial Uses in Residential Transit Oriented Mission District]

Sponsors: Campos; Chiu

Ordinance amending the San Francisco Planning Code Section 231 to allow for greater size and depth from the corner for limited commercial uses in the Residential Transit Oriented Mission (RTO-M) District; and making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee

120815 [Health Code - Bed Bug Infestation Prevention, Treatment, Disclosure and Reporting]

Sponsors: Kim; Campos

Ordinance amending the San Francisco Health Code by adding Article 11A requiring: 1) the Department of Public Health ("DPH") to provide written information outlining the rights and responsibilities of tenants, property owners and Pest Control Operators ("PCO") regarding the prevention and treatment of bed bug infestations; 2) DPH to develop a training curriculum on bed bug abatement; 3) owners to respond to bed bug infestation complaints; 4) property owners to disclose bed bug infestation history for the previous two years; 5) DPH to collect and publish bed bug data on a quarterly basis; 6) the Health Department to conduct a biannual public hearing to review DPH's written materials, and adopt amendments as appropriate; establishing enforcement procedures; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Government Audit and Oversight Committee

120840 [Board Response - Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120842 [Board Response - Civil Grand Jury Report - Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Better MUNI Service Needed, Without Switchbacks: An Investigation into the San Francisco Municipal Transportation Agency" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Land Use and Economic Development Committee**120816 [Administrative Code - Port Pre-Payment of Jobs-Housing Linkage Program Obligations]****Sponsor: Kim**

Ordinance amending the San Francisco Administrative Code, by adding Section 61.12, to authorize pre-payment of Jobs-Housing Linkage Program obligations for developments on certain Port lands; and adopting environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

The Board recessed at the hour of 2:31 p.m., and reconvened at the hour of 3:00 p.m.

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pursuant to File No. 121080, approved November 6, 2012.)

121081 [Public Hearing - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]**Sponsor: Kim**

Hearing of persons interested in or objecting to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

The President inquired as to whether any member of the public wished to address the Board relating to real property leases of various properties as referenced in File Nos. 121046, 121047, and 121048. John Updike, Director (Real Estate Department) provided an overview of the proposed real property leases and responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED**Committee of the Whole Adjourn and Report**

121046 [Real Property Lease - 110-12th Street - St. James Family Partnership, L.P. - ReproMail]**Sponsor: Mayor**

Resolution authorizing the lease of 10,469 sq. ft. of space at 110-12th Street with the St. James Family Partnership, L.P., for use by the Office of Contract Administration's ReproMail for the term of approximately ten years commencing on February 1, 2013 and terminating January 31, 2023 for the renovation of the property.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121047 [Real Property Lease Amendment - SRI Nine Market Square, LLC - 875 Stevenson Street - Renovation of the Property]**Sponsor: Mayor**

Resolution authorizing the Fourth Amendment to Lease of 875 Stevenson Street floors 1, 3 and 4, terminating said lease with SRI Nine Market Square, LLC for the renovation of the property.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121048 [Real Property Lease - 1155 Market Street - 1155 SF Partners, LLC - Various City Departments]**Sponsor: Mayor**

Resolution authorizing the lease of approximately 103,501 sq. ft. of space at 1155 Market Street with 1155 SF Partners, LLC, for use by various City Departments for the term of approximately ten years commencing January 15, 2013, and terminating on January 14, 2023 for renovation of the property.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

There were none.

COMMITTEE REPORTS

Recommendations of the Budget and Finance Committee

- 120965 [Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]**
Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen
Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

- 121020 [Real Property Purchase Agreement - 1550 Evans Avenue and 330 Newhall Street - San Francisco Public Utilities Commission - \$15,000,000]**

Sponsor: Cohen

Resolution approving and authorizing an agreement for the purchase of a parcel of real estate located at 1550 Evans Avenue and 330 Newhall Street (Assessor Block No. 5203, Lot No. 035), consisting of approximately 4.68 acres improved with 50,593 square feet of office/industrial buildings for the San Francisco Public Utilities Commission, for a purchase price of \$15,000,000; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

- 121023 [Grant Agreement - Kelly Cullen Community - 220 Golden Gate Avenue - Not to Exceed \$18,475,118]**

Sponsor: Mayor

Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with 220 Golden Gate Master Tenant, LP, to provide operating subsidies for formerly homeless single adults at Kelly Cullen Community, 220 Golden Gate Avenue, for the period of December 1, 2012, to November 30, 2027, in an amount not to exceed \$18,475,118.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121041 [Accept and Expend Grant - Energy Efficiency Program - \$2,977,000]**Sponsor: Mar**

Resolution retroactively authorizing the Department of the Environment to accept and expend a grant in the amount of \$2,977,000 from the California Public Utilities Commission, through Pacific Gas and Electric Company, to continue an energy use and demand reduction through Energy Efficiency Program in the City and County of San Francisco for the period of October 15, 2012, through December 31, 2012.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Douglas Yep; expressed various concerns relating to Board committee hearings.

Walter Paulson; shared in song certain concerns with the Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE**121080 [Committee of the Whole - Real Property Leases - 110-12th Street, 875 Stevenson Street, and 1155 Market Street]****Sponsor: Kim**

Motion directing the Board of Supervisors to hold a public hearing on November 6, 2012, at 3:00 p.m., with the Board sitting as a Committee of the Whole, to consider adopting Resolutions associated with various real property leases located at 110-12th Street, 875 Stevenson Street, and 1155 Market Street (File Nos. 121046, 121047, 121048).

Motion No. M12-131**APPROVED****121075 [Clean Water Act 40th Anniversary]****Sponsor: Cohen**

Resolution recognizing the 40th Anniversary of the Federal Clean Water Act and commending the San Francisco Public Utilities Commission for Clean Water Act implementation.

ADOPTED

121076 [Urging the Commissioners of Men's Sports to Publicly Support Lesbian, Gay, Bisexual, and Transgender Athletes]**Sponsors: Olague; Campos and Mar**

Resolution requesting the Commissioners of professional men's sports to take part in the Last Closet Campaign, by going on record in a public interview in support of Lesbian, Gay, Bisexual, and Transgender athletes and to commit to setting up support systems and safeguards that allow athletes to be openly out and participate in sports without worry of discrimination or retaliation.

ADOPTED**121079 [2013 Board of Supervisors Regular Meeting Schedule]**

Motion establishing the 2013 Board of Supervisors regular meeting schedule by canceling the Board meetings of January 1, January 8, January 22, February 19, May 28, July 2, October 15, November 12, and December 3; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 31 through August 30, and December 18 through December 31. (Clerk of the Board)

Motion No. M12-132**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL**Introduced by a Supervisor or the Mayor**

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCE

121061 [Planning Code - Landmark Designation of 401 Castro Street (Twin Peaks Tavern)]

Sponsor: Wiener

Ordinance designating 401 Castro Street (Twin Peaks Tavern), Assessor's Block No. 3582, Lot No. 71, as a landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1, and environmental findings. (Planning Department)

10/23/12; RECEIVED FROM DEPARTMENT.

11/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2012.

PROPOSED RESOLUTION

121062 [Agreement Amendment - MedImpact Healthcare Systems, Inc. - Third Party Pharmacy Administration Services at Community Pharmacies - \$18,704,318]

Resolution approving the third amendment to the agreement between the Department of Public Health and MedImpact Healthcare Systems, Inc., for third party pharmacy administration services at community pharmacies to increase the total contract amount from \$9,900,000 for the term of July 1, 2008, through June 30, 2014, by \$8,804,318 for a total contract amount of \$18,704,318 for six years. (Public Health Department)

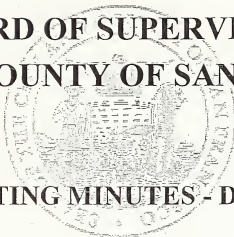
10/29/12; RECEIVED FROM DEPARTMENT.

11/06/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:18 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, November 20, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

GOVERNMENT
DOCUMENTS DEPT

NOV 27 2012

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Elsbernd, Wiener, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Avalos

1st and 3rd Thursday
1:30 PM

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of November 9, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121122 [Formal Policy Discussions - November 20, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted by the Supervisors representing Districts 6 and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. What are the current procedures for recouping cost incurred through street closures for major conventions like Salesforce's Dreamforce and Oracle's Open World? Specifically, what costs are being reimbursed to the City beyond permitting fees? What costs incurred by Departments other than Municipal Transportation Agency and San Francisco Police Department is being recouped? In addition to the required traffic control plan, how else is the City ensuring that major corporations allow pedestrian and cyclist access in case of street closures? And finally does the City evaluate increased traffic congestion in downtown areas when permitting street closures on major arterials like Howard Street between 3rd and 4th Streets and do we evaluate the cost of that congestion and recoup that cost? (Supervisor Kim, District 6)

2. With the November election behind us, our Federal delegation is contending with potentially significant budget cuts as a result of sequestration. Have you examined what some of the potential impacts of these cuts may be to City programs and services, particularly those who serve the poor and those in federally subsidized housing? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120965 [Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]

Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.

(Fiscal Impact)

FINALLY PASSED

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of November 9, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121122 [Formal Policy Discussions - November 20, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted by the Supervisors representing Districts 6 and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. What are the current procedures for recouping cost incurred through street closures for major conventions like Salesforce's Dreamforce and Oracle's Open World? Specifically, what costs are being reimbursed to the City beyond permitting fees? What costs incurred by Departments other than Municipal Transportation Agency and San Francisco Police Department is being recouped? In addition to the required traffic control plan, how else is the City ensuring that major corporations allow pedestrian and cyclist access in case of street closures? And finally does the City evaluate increased traffic congestion in downtown areas when permitting street closures on major arterials like Howard Street between 3rd and 4th Streets and do we evaluate the cost of that congestion and recoup that cost? (Supervisor Kim, District 6)

2. With the November election behind us, our Federal delegation is contending with potentially significant budget cuts as a result of sequestration. Have you examined what some of the potential impacts of these cuts may be to City programs and services, particularly those who serve the poor and those in federally subsidized housing? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120965 [Business and Tax Regulations Code - Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax]

Sponsors: Farrell; Campos, Elsbernd, Chu, Wiener and Cohen

Ordinance amending the San Francisco Business and Tax Regulations Code Article 12-A by amending Section 906.5 to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll for years 2012 through 2015 from terminating in the event the voters of the City and County of San Francisco pass a gross receipts tax.

(Fiscal Impact)

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee**120816 [Administrative Code - Port Pre-Payment of Jobs-Housing Linkage Program Obligations]****Sponsor: Kim**

Ordinance amending the San Francisco Administrative Code, by adding Section 61.12, to authorize pre-payment of Jobs-Housing Linkage Program obligations for developments on certain Port lands; and adopting environmental findings.

FINALLY PASSED

Recommendations of the Rules Committee**120657 [Settlement of Lawsuit - Michael Horan - \$250,000]**

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney)

PASSED, ON FIRST READING

120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]

Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500.00; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121015 [Settlement of Lawsuit - Acquila Yeargin - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Acquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Acquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

PASSED, ON FIRST READING

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemester, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson et al. v. City and County of San Francisco. (City Attorney)

PASSED, ON FIRST READING

120993 [Settlement of Unlitigated Claim - Trico Construction - \$440,000]

Resolution approving settlement of the unlitigated claim filed by Galliera, Inc., dba Trico Construction (Trico), against City and County of San Francisco for \$440,000. (City Attorney)

ADOPTED

121059 [Appointment, Commission on the Aging Advisory Council - Catherine Rose Russo]

Motion appointing Catherine Rose Russo, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M12-133

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to December 11, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee**120191 [Building Code - Definition of Efficiency Unit]****Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health & Safety Code; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 1 - Avalos

120352 [Administrative Code - Housing Preservation and Production]**Sponsors: Olague; Kim, Campos and Mar**

Ordinance amending the San Francisco Administrative Code by 1) amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals; and 2) making environmental finding.

(Supervisor Wiener dissented in Committee.)

Supervisor Olague, seconded by Supervisor Kim, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]**Sponsors: Mayor; Wiener and Olague**

Ordinance amending the San Francisco Planning Code, Article 4, by: 1) revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF); 2) amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection; and 3) making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Ordinance be **CONTINUED** to December 4, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

120997 [Appropriating \$2,705,000 for San Francisco Unified School District - FY2012-2013]

Sponsors: Kim; Campos, Mar, Avalos and Olague

Ordinance appropriating \$2,705,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.

(Fiscal Impact)

(Supervisor Chu dissented in Committee.)

Supervisor Kim, seconded by Supervisor Mar, moved that this Ordinance be CONTINUED to December 4, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120963 [Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]

Sponsor: Mayor

Ordinance amending San Francisco Business and Tax Regulations Code Article 15 Business Improvement Districts Procedure Code by amending Sections 1510 and 1511, and by adding Section 1515, to: provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and clarify existing provisions and update references to state law; and making a finding that California Constitution Article XIID does not apply to the levy of business assessments authorized by Business and Tax Regulations Code Article 15.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120989 [Resolution of Intention - Moscone Expansion Business Improvement District]

Sponsor: Mayor

Resolution declaring the intention of the Board of Supervisors to establish a business-based business improvement district to be known as the "Moscone Expansion District" and levy a multi-year assessment on defined hotel businesses in the district; approving the management district plan for the district; ordering a ballot election and setting a time and place for a public meeting and a public hearing; approving the form of the Notice of Public Meeting and Public Hearing and Assessment Ballots; directing the Clerk of the Board of Supervisors to give notice of the public meeting and public hearing as required by law; and providing for environmental findings. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121009 [Master Lease Amendment - Treasure Island Fire Fighting Training Center]

Resolution approving the Fourth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121032 [Agreement - SFO Shuttle Bus Company - Shuttle Bus Services - Not to Exceed \$105,000,000]

Resolution approving the agreement between SFO Shuttle Bus Company and the City and County of San Francisco to provide shuttle bus services at San Francisco International Airport acting by and through its Airport Commission not to exceed \$105,000,000 for a term December 1, 2012, through June 30, 2016, plus three options for two years each. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121043 [Agreement - Workers' Compensation Third Party Administrator Services - Not to Exceed \$26,288,201]

Sponsor: Mayor

Resolution authorizing the San Francisco Municipal Transportation Agency and the Department of Human Resources to retroactively execute an agreement with Intercare Holdings Insurance Services, Inc., for Workers' Compensation Third Party Administrator services for an amount not to exceed \$26,288,201 and for a term of three years, with an option to extend the term for up to an additional two years.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121067 [Accept and Expend Grant - Adolescent Health Working Group Health Education Collaborative - \$120,000]

Sponsor: Cohen

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$120,000 from The California Wellness Foundation to participate in a program entitled Adolescent Health Working Group Health Education Collaborative for the period of October 1, 2012, through September 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121044 [Piers 30-32/Seawall Lot 330 - Warriors Development Project]

Sponsors: Mayor; Chu, Chiu, Farrell, Wiener and Mar

Resolution finding that a project proposed by GSW Arena LLC, an affiliate of the Golden State Warriors, to rehabilitate Port property at Piers 30-32, develop on the piers a multi-purpose venue useable for public assembly uses and other events, such as conventions, Warriors home games, cultural events, family shows and performing arts, and for other purposes, including public open space, maritime use, visitor serving retail, and related parking facilities, and develop on Seawall Lot 330 residential, hotel, and/or retail uses and accessory parking, is fiscally feasible and responsible under Administrative Code Chapter 29; urging City and Port officials to make evaluating the proposed project among its highest priorities; and to take all appropriate steps to further environmental review of the proposed project.
(Economic Impact)

Supervisor Kim, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 11, Line 17, by deleting 'FURTHER RESOLVED, That future discretionary approvals from the Board of Supervisors will be heard by the CAC prior to approval including the term sheet, the DDA, the Waterfront Land Use Amendment, zoning amendments and other transaction documents; and, be it'; and on Page 11, Line 21, by adding 'FURTHER RESOLVED, That the Board of Supervisors will not take action on the term sheet, the Piers 30-32 Ground Lease and the SWL 330 Conveyance or Lease Agreement, and any proposed zoning amendments or amendments to the Waterfront Land Use Plan, until after the Piers 30-32 CAC holds meetings to review and discuss those items; and, be it'. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague, Wiener

Noes: 3 - Chu, Elsbernd, Farrell

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121068 [Accept and Expend Grant - Brownfields Assessment Project - \$400,000]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$400,000 from the United States Department of Environmental Protection to support the Brownfields Assessment Project by performing site assessments and preparing cleanup plans for potentially contaminated properties located in the Southeast area of San Francisco, in support of the Blue Greenway Project for the period of October 1, 2012, through October 31, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121069 [Accept and Expend Grant - FY2012 Urban Areas Security Initiative Program - \$21,931,312]

Sponsor: Mayor

Resolution authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the primary grantee of Urban Areas Security Initiative (UASI) funds for the Bay Area Urban Area and as the fiscal agent for the UASI Approval Authority, to retroactively accept and expend a FY2012 UASI Program grant in the amount of \$21,931,312 from the U.S. Department of Homeland Security through the California Emergency Management Agency for the period of October 12, 2012, through May 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121006 [Master Lease Extension - Department of Public Health - 2176-78 Mission Street - \$32,363.07 Per Month with Annual Increases]

Resolution authorizing the extension of a Master Lease of Real Property at 2176-78 Mission Street for the Department of Public Health for ten years, \$32,363.07 per month for the period of December 5, 2012, to December 4, 2013, and subsequently subject to increases pursuant to the Consumer Price Index yearly. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121072 [Accept and Expend Grant - Medical Monitoring Project - \$196,104]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$196,104 from Centers for Disease Control and Prevention to participate in a program entitled Medical Monitoring Project for the period of June 1, 2012, through May 31, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121073 [Accept and Expend Grant - Enhancing Engagement and Retention in Quality HIV Care - \$300,000]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from the Health Resources and Services Administration to participate in a program entitled "Enhancing Engagement and Retention in Quality HIV Care for Transgender Women of Color - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121074 [Accept and Expend Grant - Special Projects of National Significance Program - \$300,000]

Sponsor: Wiener

Resolution authorizing the San Francisco Department of Public Health to retroactively accept and expend a grant in the amount of \$300,000 from the Health Resources and Services Administration to participate in a program entitled "Special Projects of National Significance Program Building a Medical Home for Multiply Diagnosed HIV Positive Homeless Populations - Demonstration Sites" for the period of September 1, 2012, through August 31, 2013, and waiving indirect costs.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120984 [Police Code - Prohibiting Public Nudity]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, plazas, and public rights-of-way, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Recommendation of the Rules Committee

120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]

Sponsor: Farrell

Ordinance amending the San Francisco Administrative Code Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

Supervisor Farrell, seconded by Supervisor Chu, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Olague, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to the Housing Inspection Division of the Department of Building Inspection in recognition of their accomplishments and continued community support.

Supervisor Olague introduced, welcomed, and presented Certificates of Honor to Pamela Palpallatoc, Esq., Philip Tam, Marshall Johnson, Leland Rubin, and Martha Hollins in recognition of their tremendous work to improve the conditions of public housing, commitment to serving low-income residents, and continued community support.

SPECIAL ORDER 4:00 P.M.

120849 [Public Hearing - Tentative Parcel Map Appeal - 1101-1103 Dolores Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated August 9, 2012, approving a Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (District 8) (Appellants: Kevin Cheng and Todd Mavis) (Filed August 20, 2012). (Clerk of the Board)

The President indicated receipt of a letter from the appellant, dated November 19, 2012, withdrawing their appeal. The President inquired as to whether any member of the public wished to address the Board. There were no speakers. The President declared the public hearing closed.

HEARD AND FILED

120850 [Approving Decision of the Department of Public Works and Approving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion approving decision of the Department of Public Works and approving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; approving the decision of the Department of Public Works. (Clerk of the Board)

Motion No. M12-134

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120851 [Disapproving Decision of the Department of Public Works and Disapproving the Tentative Parcel Map - 1101-1103 Dolores Street]

Motion disapproving decision of the Department of Public Works and disapproving the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033, consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120852 [Preparation of Findings Related to the Tentative Parcel Map Disapproval - 1101-1103 Dolores Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to disapprove the Tentative Parcel Map for a 2-unit condominium conversion located at 1101-1103 Dolores Street, Assessor's Block No. 6511, Lot No. 033. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Chu, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendation of the Government Audit and Oversight Committee

**121071 [Urging Muni to Prioritize Eligible Funds for Low-Income Youth and Maintenance]
Sponsor: Wiener**

Resolution urging Muni to prioritize funding for vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service.
(Supervisor Chiu dissented in committee.)

Supervisor Campos, seconded by Supervisor Olague, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Resolution urging Muni to prioritize funding for low-income youth in light of deep cuts to yellow school bus and the impact of the down-turned economy on low-income families, and vehicle and equipment maintenance, rehabilitation, and purchase in light of deteriorating Muni service.

ADOPTED AS AMENDED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

Recommendations of the Land Use and Economic Development Committee**120996 [Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by adding Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Section 135(d) and adding Section 135.4 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Ordinance be **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Ordinance amending the San Francisco Planning Code by adding Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Section 135(d) and adding Section 140.1 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Noes: 1 - Avalos

Supervisor Olague was noted absent at 6:05 p.m. and noted present at 6:12 p.m.

121029 [Environment Code - Suspending Yellow Pages Distribution Pilot Program]**Sponsors: Chiu; Elsbernd**

Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

Supervisor Elsbernd requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Absent: 1 - Olague

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Debra Bendict; expressed various concerns.

Paulette Brown; expressed concerns relating to human services and solving child homicides and violence in the community.

Theresa Cooper; expressed concerns regarding body language and government.

Ray Hartz; expressed concerns relating to government.

Male Speaker; expressed concerns relating to the Municipal Transportation Agency and taxi medallions.

Male Speaker; expressed various religious concerns.

Male Speaker; expressed various concerns.

Male Speaker; expressed various concerns.

Peter Ward; expressed concerns regarding a restaurant on Marina Green.

Art Scampa; expressed concerns regarding a restaurant on Marina Green.

Nicole Preito; expressed concerns regarding a restaurant on Marina Green.

Fattallah Kampa; expressed concerns regarding a restaurant on Marina Green.

Female Speaker; expressed concerns regarding a restaurant on Marina Green.

Aden Junay; expressed concerns regarding Sunshine Task Force and Hepatitis C.

Charlie Mapas; expressed concerns regarding the closure of medical marijuana dispensaries.

Edmond Juicye; expressed various concerns.

Peter Warfield; expressed concerns relating to the SF Public Library.

Ana Cora; expressed various concerns.

Supervisors Cohen and Wiener were noted absent at 6:15 p.m. for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121088 [Committee of the Whole - December 11, 2012 - Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]

Motion that the Board of Supervisors hold a public hearing on December 11, 2012, at 3:00 p.m., with the Board of Supervisors sitting as a Committee of the Whole, to consider acquisition of temporary construction licenses for various real properties by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension Project. (Clerk of the Board)

Motion No. M12-135

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

IMPERATIVE AGENDA

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Chu, seconded by Supervisor Campos, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Chu, seconded by Supervisor Campos, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

121149 [Sunset Recreation Center Reopening]

Sponsor: Chu

Resolution recognizing the grand reopening of the Sunset Recreation Center and commending the project team of San Francisco Recreation and Park and the Department of Public Works for their hard work and commitment to San Francisco and its residents.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Avalos, seconded by Supervisor Campos, moved **ADOPTION** of the commendatory finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Avalos, seconded by Supervisor Campos, moved **ADOPTION** of the Brown Act finding. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

121150 [International Day for the Elimination of Violence Against Women and Girls - November 25, 2012]**Sponsors: Avalos; Cohen**

Resolution declaring November 25, 2012, International Day for the Elimination of Violence Against Women and Girls in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

*[Purely Commendatory Finding]**Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.***Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

*[Brown Act Finding]**Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.***Supervisor Mar, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

121151 [Declaring November 24, 2012, as Small Business Saturday in San Francisco]**Sponsor: Mar**

Resolution declaring November 24, 2012, the Saturday after the Thanksgiving holiday, as Small Business Saturday and supporting efforts to increase awareness of the value of locally owned small businesses in the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague

Absent: 2 - Cohen, Wiener

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.

PROPOSED ORDINANCES

120959 [Building Code - Fees and Permit Extensions]

Ordinance amending the San Francisco Building Code Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4 to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A to modify various fees; and making environmental findings. (Building Inspection Department)

09/24/12; RECEIVED FROM DEPARTMENT.

10/02/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/1/2012.

10/10/12; REFERRED TO DEPARTMENT.

10/11/12; RESPONSE RECEIVED.

11/02/12; RECEIVED FROM DEPARTMENT.

11/08/12; NOTICED.

11/20/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

121104 [Planning Code - Landmark Designation - 320-326 Judah Street (the Doelger Building)]

Ordinance designating 320-326 Judah Street (the Doelger Building), Lot Nos. 020 and 021 in Assessor's Block No. 1763, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code Section 101.1 and environmental findings. (Planning Department)

11/06/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/20/2012.

PROPOSED RESOLUTIONS

121084 [Freeway Agreement - California Department of Transportation - State Highway Route 101, South Van Ness Avenue to Golden Gate Avenue]

Resolution adopting a freeway agreement with the California Department of Transportation (Caltrans) for a portion of State Highway Route 101 from South Van Ness Avenue to Golden Gate Avenue and authorizing official acts related thereto. (Public Works Department)

11/02/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

121085 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121086 [California Constitution Appropriations Limit for FY2012-2013]

Resolution establishing the appropriations limit for FY2012-2013 pursuant to California Constitution Article XIII B. (Controller)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121090 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121091 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1000-1032 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121092 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121093 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 19 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121094 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 212 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121095 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 216 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121096 [Authorizing the Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 250-4th Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121097 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 39 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121098 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 801 Market Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121099 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 930 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

121100 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 950 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

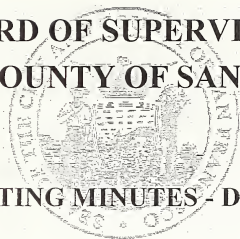
11/05/12; RECEIVED FROM DEPARTMENT.

11/20/12; ASSIGNED to Board of Supervisors.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:25 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, December 4, 2012 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT

JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

Wednesday
11:00 AM

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

4th Thursday
3:30 PM

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

2nd and 4th Monday
10:00 AM

Government Audit and Oversight Committee
Supervisors Elsbernd, Wiener, Chiu

2nd and 4th Thursday
1:00 PM

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

Monday
1:00 PM

Public Safety Committee
Supervisors Avalos, Olague, Mar

1st and 3rd Thursday
10:30 AM

Rules Committee
Supervisors Kim, Farrell, Avalos

1st and 3rd Thursday
1:30 PM

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Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, Supervisor Kim was noted absent.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Chu, moved to approve the Board Meeting Minutes of October 16, 2012. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

120963 [Business and Tax Regulations Code - Improvement Districts: Longer Term When Assessments Pledged to Bond, Lease, or Other Obligations; Alternative 2/3 Weighted Vote by Businesses]

Sponsor: Mayor

Ordinance amending San Francisco Business and Tax Regulations Code, Article 15: Business Improvement Districts Procedure Code by amending Sections 1510 and 1511, and by adding Section 1515, to provide for a district term of up to 40 years when assessments are pledged or applied to pay any bond, financing lease (including any certificates of participation therein), or other similar obligations of the City; authorize the Board of Supervisors to require a weighted two-thirds (2/3) vote of business owners to be assessed, based on ballots cast, as an alternative or additional procedure for establishing a business improvement district and levying assessments; and clarify existing provisions and update references to state law; and making a finding that California Constitution, Article XIII D does not apply to the levy of business assessments authorized by Business and Tax Regulations Code, Article 15.

FINALLY PASSED

Recommendation of the Land Use and Economic Development Committee

121029 [Environment Code - Suspending Yellow Pages Distribution Pilot Program]

Sponsors: Chiu; Elsbernd

Ordinance amending the San Francisco Environment Code by adding Section 2109 to suspend the Yellow Pages Distribution Pilot Program.

FINALLY PASSED

Recommendations of the Rules Committee

120657 [Settlement of Lawsuit - Michael Horan - \$250,000]

Ordinance authorizing settlement of the lawsuit filed by Michael Horan against the City and County of San Francisco for \$250,000; the lawsuit was originally filed on September 25, 2009, in San Francisco Superior Court, Case No. CGC-09-492910, removed to United States District Court, Northern District, Case No. CV-10-01383; entitled Michael Horan v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

120976 [Settlement of Lawsuit - Rehab Financial Corporation - City to Receive \$164,099]

Ordinance authorizing settlement of the lawsuit filed by City and County of San Francisco against Rehab Financial Corporation, Gayle Bloomingdale, and Barbara Wood for payment to the City of \$164,099; the lawsuit was filed on March 30, 2010, and is pending in San Mateo County Superior Court, Case No. CIV506113; entitled City and County of San Francisco, et al., v. Rehab Financial Corporation, et al. (City Attorney's Office)

FINALLY PASSED

120994 [Settlement of Lawsuit - Christine McGuire - \$27,000]

Ordinance authorizing settlement of the lawsuit filed by Christine McGuire against the City and County of San Francisco for \$27,000; the lawsuit was filed on January 6, 2011, in San Francisco Superior Court, Case No. CGC-11-507062; entitled McGuire v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

121014 [Settlement of Lawsuit - Leslie Jones - \$197,500]

Ordinance authorizing settlement of the lawsuit filed by Leslie Jones against the City and County of San Francisco for \$197,500; the lawsuit was filed on August 5, 2010, in San Francisco Superior Court, Case No. CGC-10-502290; entitled Leslie Jones, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

121015 [Settlement of Lawsuit - Aquila Yeargin - \$27,500]

Ordinance authorizing settlement of the lawsuit filed by Aquila Yeargin against the City and County of San Francisco for \$27,500; the lawsuit was filed on July 7, 2010, in San Francisco Superior Court, Case No. CGC-10-501334; entitled Aquila Yeargin v. Brandon Thompson, et al. (City Attorney's Office)

FINALLY PASSED

121036 [Settlement of Lawsuit - Gilles Combrisson et al. - Not to Exceed \$320,000]

Ordinance authorizing settlement of the class action lawsuit filed by Gilles Combrisson, William Phillips, Patrick Hagemeister, and Ranell Hansen against the City and County of San Francisco for an amount not to exceed \$320,000; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CGC-09-489400; entitled Gilles Combrisson, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]

Sponsor: Elsbernd

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

PASSED, ON FIRST READING

121058 [Appointments, Veterans Affairs Commission - M. Lee Burnette, John Gallagher, and Michael Maffei]

Motion appointing M. Lee Burnette, John Gallagher, and Michael Maffei, terms ending January 31, 2016, to the Veterans Affairs Commission. (Clerk of the Board)

Motion No. M12-136

APPROVED

121101 [Appointment, Bicycle Advisory Committee - Timothy Doherty]

Motion appointing Timothy Doherty, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M12-137

APPROVED

121103 [Appointments, Shelter Monitoring Committee - Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford]

Motion appointing Julia D'Antonia, Jennie Parrilla, Nicholas Kimura, Andrew Mendes, and Isaac Langford, terms ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)

Motion No. M12-138

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Mar, Olague, Wiener

Absent: 1 - Kim

Supervisor Kim was noted present at 2:14 p.m.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

120997 [Appropriating \$2,705,000 for San Francisco Unified School District - FY2012-2013]

Sponsors: Kim; Campos, Mar, Avalos and Olague

Ordinance appropriating \$2,705,000 of State Reserves for the San Francisco Unified School District for FY2012-2013.

(Fiscal Impact)

(Supervisor Chu dissented in Committee.)

Privilege of the floor was granted to Ben Rosenfield, Controller, Kate Howard, Mayor's Budget and Policy Office Director, and Jason Elliott, Legislative Affairs Director, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Mar, **AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE** by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Ordinance appropriating \$843,000 of State Reserves and \$1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

Supervisor Chu moved to divide the question relating to appropriating funds totaling \$2,255,000 rather than \$2,705,000 for the district. The question PASSED as divided by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Chu moved to divide the question relating to appropriating State revenue funds of \$843,000 rather than \$1,293,000 for the district. The question PASSED as divided by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Wiener moved to duplicate the file to separate the State revenue from the School District set-aside funds. Supervisor Wiener withdrew this motion.

Supervisor Wiener moved to divide the question relating to separating our appropriation of State revenue funds of \$843,000. The question PASSED as divided by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Olague

Noes: 4 - Chu, Elsbernd, Farrell, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the City Operations and Neighborhood Services Committee

120984 [Police Code - Prohibiting Public Nudity]

Sponsor: Wiener

Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, plazas, and public rights-of-way, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

FINALLY PASSED by the following vote:

Ayes: 7 - Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Wiener

Noes: 4 - Avalos, Campos, Mar, Olague

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Chu, Cohen, Elsbernd, Farrell, Wiener

Noes: 5 - Avalos, Campos, Kim, Mar, Olague

Recommendations of the Land Use and Economic Development Committee**120191 [Building Code - Definition of Efficiency Unit]****Sponsor: Wiener**

Ordinance amending the San Francisco Building Code Section 1208.4 to reduce the square footage requirement for Efficiency Dwelling Units in new structures or buildings pursuant to Section 17958.1 of the California Health and Safety Code; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 2 - Avalos, Olague

120352 [Administrative Code - Housing Preservation and Production]**Sponsors: Olague; Kim, Campos and Mar**

Ordinance amending the San Francisco Administrative Code by amending the title of Chapter 10E and adding Section 10E.4 to monitor San Francisco's housing preservation and production policies and goals, and making environmental finding.
(Supervisor Wiener dissented in Committee.)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]**Sponsors: Mayor; Wiener and Olague**

Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Prilege of the floor was granted to Joel Ramos (MTA) who responded to questions raised throughout the discussion.

Supervisor Wiener, seconded by Supervisor Chu, **AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Elsbernd, seconded by Supervisor Avalos, **moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague

Noes: 2 - Chu, Wiener

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120996 [Planning Code - Efficiency Dwelling Units - Numerical Cap and Open/Common Space Requirements]**Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by adding new Section 318 to put a cap on the number of Efficiency Dwelling Units, as defined in the Building Code, that can be constructed with reduced square footage unless the units are group housing, affordable housing, or student housing; amending Subsection 135(d) and adding new Section 140.1 to impose open space and common space requirements on Efficiency Dwelling Units with reduced square footage; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 9 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Wiener

Noes: 2 - Avalos, Olague

Supervisor Avalos, seconded by Supervisor Chu, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Rules Committee**120221 [Administrative Code - Extension of Public Utilities Revenue Bond Oversight Committee]****Sponsor: Farrell**

Ordinance amending the San Francisco Administrative Code, Section 5A.36 to extend the sunset date of the Public Utilities Revenue Bond Oversight Committee to January 1, 2016.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Supervisor was noted absent at 3:59 p.m.

Recommendations of the Budget and Finance Committee

121034 [Real Property Lease - 1380 Howard Street - Community Behavioral Health Services - Department of Public Health - \$118,259.38-\$131,584.38 Monthly]

Resolution authorizing the extension of a lease of 79,950 sq. ft. of office space at 1380 Howard Street for use by the Department of Public Health's Community Behavioral Health Services Division for a term of an additional five years from January 1, 2013, through December 31, 2017, at a monthly rate of \$118,259.38 for the first six months of the extended term and then \$131,584.38 per month for the remainder of the extended term. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121035 [Real Property Lease - 760 Harrison Street - Cort Family Living Trust - Department of Public Health - \$25,350 Monthly]

Resolution retroactively authorizing the extension of a lease of real property at 760 Harrison Street for the Department of Public Health with the Cort Family Living Trust for a term of an additional five years from July 1, 2012, to June 30, 2017, at a monthly rate of \$25,350. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121037 [Airport Lease Agreements - Cellular Service Equipment Sites - \$350,000 Plus Annual Increases]

Resolution approving the Cellular Service Equipment Sites Leases between New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, and T-Mobile West Corporation and the City and County of San Francisco, acting by and through its Airport Commission retroactive to July 1, 2009, with a term of five years, and approving Amendment No. 1 to the Cellular Service Equipment Leases with New Cingular Wireless PCS, LLC., Nextel of California, Inc., and Sprint Spectrum Realty Company, L.P., and GTE Mobilnet of California Limited Partnership, dba Verizon Wireless, with a base annual rent of \$350,000 to be increased annually by \$25,000. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

121045 [Term Sheet - Orton Development, Inc. - Rehabilitation of the 20th Street Historic Buildings and Finding of Fiscal Feasibility]**Sponsors: Mayor; Cohen**

Resolution finding the proposed rehabilitation of the 20th Street Historic Buildings on or near 20th Street, east of Illinois Street, fiscally feasible pursuant to Administrative Code, Chapter 29, and endorsing the Term Sheet between Orton Development, Inc., and the San Francisco Port Commission.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121062 [Agreement Amendment - MedImpact Healthcare Systems, Inc. - Third Party Pharmacy Administration Services at Community Pharmacies - \$17,575,376]

Resolution approving the third amendment to the agreement between the Department of Public Health and MedImpact Healthcare Systems, Inc., for third party pharmacy administration services at community pharmacies to increase the total contract amount from \$9,900,000 for the term of July 1, 2008, through June 30, 2014, by \$7,675,376 for a total contract amount of \$17,575,376 for six years. (Public Health Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121070 [Contract Amendment - New Flyer of America, Inc. - Purchase Low Floor Diesel-Hybrid Buses - Not to Exceed \$48,669,369]**Sponsor: Wiener**

Resolution approving Amendment No. 1 to Contract No. SFMTA-2013-08 with New Flyer of America, Inc., to purchase 17 additional 40-foot low floor diesel-hybrid buses through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, for an additional amount of \$11,780,005 and a total contract amount of \$48,669,369. (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121111 [Accept and Expend Grant - San Francisco Parks Alliance - Not to Exceed \$280,000]**Sponsor: Wiener**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant not to exceed \$280,000 from the San Francisco Parks Alliance towards seven community projects funded with Community Opportunity Fund dollars for the period of May 1, 2012, through January 1, 2013.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Recommendations of the City Operations and Neighborhood Services Committee

120962 [Liquor License - 748 Innes Avenue]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Mikhail Brodsky for Pectopah, LLC, located at 748 Innes Avenue (District 10), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121002 [Liquor License Transfer - 550 Montgomery Street]

Resolution determining that the transfer of a Type 57 special on-sale general license from 2100 Market Street to 550 Montgomery Street (District 3), to Amiel Arad for Wingtip, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121010 [Liquor License Transfer - 450 Post Street]

Resolution determining that the transfer of a Type 64 special on-sale general theater license from 533 Sutter Street to 450 Post Street (District 3), to Susi Damilano for the SF Playhouse, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

Recommendations of the Government Audit and Oversight Committee

120844 [Board Response - Civil Grand Jury Report - Investment Policies and Practices of the San Francisco Employees' Retirement System]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2011-2012 Civil Grand Jury report entitled "Investment Policies and Practices of the San Francisco Employees' Retirement System" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

**120987 [Lease - Woodhouse Marina Green, LLC - Marina Degaussing Station Restaurant]
Sponsor: Farrell**

Resolution authorizing the Recreation and Park Department General Manager to enter into a lease with Woodhouse Marina Green, LLC, for the operation of a restaurant at the Marina Degaussing Station at the Marina Green with a term of ten years.
(Fiscal Impact)

RE-REFERRED to the Government Audit and Oversight Committee

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendation of the Land Use and Economic Development Committee

120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]

Sponsor: Chiu

Ordinance commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance, accepting a plaque in honor of Jack Early as a gift to the City, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendation of the Public Safety Committee

121031 [Metropolitan Transportation Commission - Strengthen Provisions of Personal Information of the Clipper Card Program]

Sponsors: Avalos; Chiu, Olague and Mar

Resolution urging the Metropolitan Transportation Commission to strengthen the privacy provisions of personal information of the Clipper Card Program.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener
Absent: 1 - Cohen

Recommendations of the Rules Committee

121057 [Board of Supervisors' Rules of Order Amendment]

Sponsor: Elsbernd

Motion amending the Board of Supervisors' Rules of Order, in their entirety, to correct clerical corrections, proper placement of sections, and additional updates.

Motion No. M12-139

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

121087 [Appointment, Board of Appeals - Darryl Honda]

Sponsor: Mayor

Motion approving the Mayor's appointment of Darryl Honda to the Board of Appeals for the term ending July 1, 2016.

Motion No. M12-140

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Absent: 1 - Cohen

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Mar, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Mar will present Certificates of Honors to the Clement Street Merchants Association on the occasion of their 90th anniversary.

Supervisor Elsbernd introduced, welcomed, and presented a Certificate of Honor to Joe Moore in honor of his act of heroism with a recent fire in District 7. Fire Chief Joanne Hayes-White shared in this commendation.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to the Guardian Angela in recognition of their accomplishments and continued community support. Supervisor Olague shared in this commendation.

COMMITTEE REPORT

121066 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]

Sponsor: Olague

Ordinance amending San Francisco Administrative Code, Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance), Section 37.9, to add new Subsection 37.9(l), providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

This item was not sent as a Committee Report.

Supervisor Cohen was noted present at 4:07 p.m.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.

Ray Hartz; expressed concerns relating to government.

Peter Warfield; expressed concerns relating to the SF Public Library.

Male Speaker; expressed various concerns.

Walter Paulson; shared in song certain concerns with the Board.

Eugene Gordon, Jr.; expressed various concerns.

Male Speaker; expressed various religious concerns.

Kati; expressed concerns relating to rebroadcast on KPOO.

John DiDonna; shared in poem certain concerns with the Board.

Michael Douglas; expressed concerns relating to education.

Colleen Fernald; expressed concerns relating to political abuse of power.

Male Speaker; expressed various concerns.

Douglas Yepp; expressed various concerns.

Female Speaker; spoke regarding domestic violence.

Amberly Cross; spoke regarding domestic violence.

Mary BeKeever; spoke regarding domestic violence.

Male Speaker; expressed concerns relating to SFMTA Board.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121129 [Approval of a 90-Day Extension for Planning Commission Review of Rezoning of 1111 Eighth Street (File No. 111278)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on a proposed Ordinance (File No. 111278) that would amend the San Francisco Planning Code, Sectional Map SU08 of the Zoning Map; adding San Francisco Planning Code, Section 249.66 to establish the Art and Design Educational Special Use District at 1111 Eighth Street to facilitate the continued operation of the California College of the Arts and provide a regulatory scheme for a potential future phased expansion of the campus; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

ADOPTED

121131 [National Park Service - Cease Efforts to Locate Alcatraz Ferry Service at Fort Mason Piers]

Sponsors: Farrell; Chiu

Resolution urging the National Park Service to abandon plans to locate Alcatraz Ferry Service at Fort Mason Piers and to focus their efforts on working with the Port of San Francisco to continue service at the Port.

ADOPTED

121135 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning (File No. 120901)]

Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120901) amending the San Francisco Planning Code, Sections 721.1 and 733.1 to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; amending Section 703.2(b) to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

ADOPTED

121136 [Approval of a 90-Day Extension for Planning Commission Review of Upper Market Zoning Map Amendment (File No. 120902)]

Sponsor: Wiener

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 120902) amending the San Francisco Planning Code, Sectional Map Sheets ZN07 and HT07 to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District, and to change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034 from 50-X to 65-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

ADOPTED

121153 [Declaration of Election Results of the November 6, 2012, Consolidated General Election]**Sponsor: Chiu**

Resolution declaring the results of the November 6, 2012, Consolidated General Election.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

IMPERATIVE AGENDA*There were no items.***LEGISLATION INTRODUCED AT ROLL CALL****Introduced by a Supervisor or the Mayor***Pursuant to Charter Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.**Introduced by the President at the Request of a Department***Pursuant to Rules of Order of the Board of Supervisors Section 2.8, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board and introduced by the President.***PROPOSED RESOLUTIONS****121138 [Lease Termination Agreement - Downtown Parking Corporation - 833 Mission Street]**

Resolution authorizing the termination of the lease agreement with the Downtown Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement that will expire on December 31, 2012. (Municipal Transportation Agency)

11/19/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121139 [Lease and Use Agreement - China Airlines, Limited]

Resolution approving and authorizing the execution of Modification No. 1 of Lease and Use Agreement L10-0082 with China Airlines, Limited, effective January 1, 2013, for administrative office space in the International Terminal at the San Francisco International Airport. (Airport Commission)

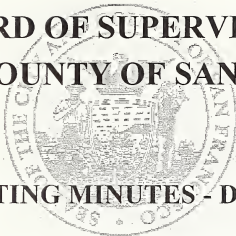
11/21/12; RECEIVED FROM DEPARTMENT.

12/04/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:04 p.m.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



MEETING MINUTES - DRAFT

Tuesday, December 11, 2012 - 2:00 PM

**Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689**

Regular Meeting

**GOVERNMENT
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DAVID CHIU, PRESIDENT

**JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, MALIA COHEN, SEAN ELSBERND,
MARK FARRELL, JANE KIM, ERIC MAR, CHRISTINA OLAGUE, SCOTT WIENER**

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee
Supervisors Chu, Avalos, Kim

**Wednesday
11:00 AM**

City and School District Select Committee
Supervisors Campos, Olague, Chiu, Commissioners Fewer, Maufas, Mendoza

**4th Thursday
3:30 PM**

City Operations and Neighborhood Services Committee
Supervisors Elsbernd, Chu, Olague

**2nd and 4th Monday
10:00 AM**

Government Audit and Oversight Committee
Supervisors Elsbernd, Wiener, Chiu

**2nd and 4th Thursday
1:00 PM**

Land Use and Economic Development Committee
Supervisors Mar, Cohen, Wiener

**Monday
1:00 PM**

Public Safety Committee
Supervisors Avalos, Olague, Mar

**1st and 3rd Thursday
10:30 AM**

Rules Committee
Supervisors Kim, Farrell, Avalos

**1st and 3rd Thursday
1:30 PM**

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Sean Elsbernd, Mark Farrell, Jane Kim, Eric Mar, Christina Olague, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:09 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of October 23, 2012, October 30, 2012, and November 6, 2012. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

121147 [Formal Policy Discussions - December 11, 2012]

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 3 and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, in your March appearance before the Board, I asked you about Proposition I, passed by voters in November 2007 to create an Office of Small Business that supports small businesses in complying with the laws administered by 14 City departments. Prop I specifically stated that within four months of the Office's opening, the Office "shall issue a report that analyzes the existing laws, regulations, roles, procedures and responsibilities of all City departments that impact small businesses and make recommendations regarding the streamlining and consolidation of such departmental functions under the Office of Small Business."

You committed that this report would be completed by June of this year. As of today, no report has been published and no overall recommendations have been made to streamline and consolidate the functions of the 14 different City departments from which 80,000 small businesses seek approvals to do business.

Mr. Mayor, I look forward to continuing to work with your administration on a wide variety of efforts to assist small businesses. Will you re-commit to carrying out this mandate of Prop I, and when will this report be forthcoming? (Supervisor Chiu, District 3)

2. I recently asked the public to suggest questions to ask you, and I received a number of responses through Facebook and Twitter. Several of them were concerned about diversity in our local economy, such as the following from local comedian, Nato Green:

"What does the Mayor propose to promote a diversified economy in San Francisco, so the City is not simply high paid high finance or tech jobs and their low wage servants? Also will the Mayor crash the real estate market to make San Francisco affordable again?"

To elaborate on this, the 2010 census showed the largest population growths in the City were in very low income households and upper income households. In this year's "San Francisco Economic Strategy Update: Phase 1 Findings," the City's Chief Economist wrote that "the industries that create a more balanced distribution of job opportunities are, generally, in the local-serving sector of the economy, which has largely declined in recent years."

What is your plan to create living wage jobs in local-serving industries to prevent the City's middle and working classes from being displaced by people moving to the City for new upper income jobs in the creative (including high tech), financial, and professional service industries?

(And unlike Mr. Green's facetious remarks, I would prefer options that do not include crashing the real estate market.) (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment, this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Land Use and Economic Development Committee

- 121130 [Transfer of Airspace Parcel Agreements - 151 Third Street - Successor Agency to the San Francisco Redevelopment Agency and San Francisco Museum of Modern Art]

Sponsors: Kim; Mayor

Resolution approving and authorizing the Director of Real Estate to execute Agreement for Transfer of Airspace Parcel within Assessor's Block No. 3722, Lot No. 078, at 151 Third Street from the Successor Agency to the San Francisco Redevelopment Agency to the City and County of San Francisco; and Agreement for Transfer of Airspace Parcel from the City and County of San Francisco to the San Francisco Museum of Modern Art.

ADOPTED

Recommendation of the Rules Committee

- 121106 [Settlement of Lawsuit - Pacific Rod and Gun Club]

Sponsor: Elsbernd

Ordinance authorizing settlement of the unlawful detainer lawsuit entitled City and County of San Francisco, et al., v. Pacific Rod and Gun Club, et al., filed on September 24, 2012, in San Francisco Superior Court, Case No. CUD-12-642832, regarding City-owned property located at 520 John Muir Drive in San Francisco; material terms of the settlement agreement include City and Club executing an amended and restated month-to-month lease with improved insurance, indemnity and other provisions in favor of the City, a new 90-day termination notice requirement, and a stipulation for entry of judgment without trial to facilitate City obtaining a writ of possession following such notice period.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

120550 [Affirming Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120551 [Reversing Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120552 [Preparation of Findings to Reverse Certification of Final Environmental Impact Report - California Pacific Medical Center's Long Range Development Plan]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the California Pacific Medical Center's Long Range Development Plan. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Campos, moved that this Motion be CONTINUED to January 29, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendation of the Budget and Finance Committee

120997 [Appropriating \$2,255,000 for San Francisco Unified School District - FY2012-2013]

Sponsors: Kim; Campos, Mar, Avalos and Olague

Ordinance appropriating \$843,000 of State Reserves and \$1,412,000 from School District Set-Aside funds for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Ordinance be **CONTINUED ON FINAL PASSAGE** to January 15, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee

120523 [Planning Code - Transit Impact Development Fee Increase and Updates]

Sponsors: Mayor; Wiener and Olague

Ordinance amending the San Francisco Planning Code, Article 4, by revising and making technical corrections to specified definitions in Section 401 relating to the Transit Impact Development Fee (TIDF), amending Sections 402, 408, 411 through 411.5, 411.7, 411.8, and adding a new Section 411.9 to increase TIDF rates, revise exemptions and credits, and clarify TIDF implementation and collection, and making environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120982 [Jack Early Commemorative Plaque - Stockton Street Adjacent to Washington Square]

Sponsor: Chiu

Ordinance commemorating the Stockton Street sidewalk adjacent to Washington Square Park under Public Works Code Sections 789 et seq., the Commemorative Street Plaque Ordinance, accepting a plaque in honor of Jack Early as a gift to the City, waiving permit and inspection fees for plaque installation, and directing official acts in furtherance of this Ordinance.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

NEW BUSINESS

Recommendations of the Budget and Finance Committee

121007 [Electric System and Solar Project Agreement - North Star Solar, LLC]

Ordinance authorizing, pursuant to Charter Section 9.118(a), a System Impact Mitigation Agreement with North Star Solar, LLC, requiring North Star Solar, LLC, to pay the Public Utilities Commission the costs necessary to mitigate the impacts to the City's electric system caused by the interconnection of North Star Solar, LLC's solar project to the electric grid; authorizing similar mitigation agreements with other projects in the future; appropriating funds from these agreements to pay the costs of mitigation work; and placing various mitigation funds on reserve with the Board of Supervisors. (City Attorney's Office)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121064 [Business and Tax Regulations, Police Codes - Parking Stations - Revenue Control Equipment; License Regulations; Parking Tax Bonds; Administrative Citation Process]

Sponsor: Campos

Ordinance amending the San Francisco Business and Tax Regulations Code by amending Article 6 (Common Administrative Provisions) to revise the bonding requirements for parking operators; revise the time to bring an action to collect tax; clarify the extent of a surety's liability; revise the administrative citation appeal process; and make other minor technical changes; amending Article 22 (Parking Stations; Revenue Control Equipment) to clarify that non-City governmental entities operating parking stations are exempt from the revenue control equipment requirements; and amending the San Francisco Police Code Article 17 (Miscellaneous License Regulations) to clarify that governmental entities operating parking garages or parking lots are exempt from the permitting requirements applicable to other commercial parking garage and valet operations.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121012 [Adopting CEQA Findings - Geary Road Bridge Project]

Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CUW26403, the Geary Road Bridge Project, in Alameda County and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121086 [California Constitution Appropriations Limit for FY2012-2013]

Resolution establishing the appropriations limit for FY2012-2013 pursuant to California Constitution Article XIII B. (Controller)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

**121109 [Expenditures from South of Market Community Stabilization Fund - \$760,000]
Sponsor: Kim**

Resolution authorizing the 2012 South of Market (SoMa) Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend SoMa Community Stabilization Fund dollars in the amount of \$760,000.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121110 [Issuance of Tax Exempt Obligation - San Francisco Friends School - Not to Exceed \$32,000,000]

Sponsor: Wiener

Resolution approving the issuance of a tax exempt obligation by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed \$32,000,000 to finance and refinance various capital facilities owned by San Francisco Friends School.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121125 [Accept and Expend Grant - Sidney E. Frank Foundation Renewable Energy - \$250,000]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of \$250,000 from the Sidney E. Frank Foundation to plan and implement specific projects to source 100% of San Francisco's electrical demand from renewable energy sources from July 15, 2012, through June 15, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121126 [Accept and Expend Grant - Encourage Arrest Policies and Enforcement of Protection Orders Program - \$650,000]

Sponsor: Mayor

Resolution authorizing the Department on the Status of Women to retroactively accept and expend an extension grant in the amount of \$650,000 through the United States Department of Justice's Office of Violence Against Women, Encourage Arrest Policies and Enforcement of Protection Orders Program, for grant period April 1, 2012, through March 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121127 [Wastewater Revenue Bonds Issuance - Public Utilities Commission - Not to Exceed \$670,000,000]**Sponsor: Mayor**

Resolution approving the issuance of wastewater revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco in aggregate principal amounts not to exceed \$250,000,000 to refund outstanding wastewater revenue bonds pursuant to the Charter of the City and California Government Code, Sections 53580 et seq., and not to exceed \$420,000,000 to finance capital projects benefiting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by voters on November 5, 2002, as Proposition E; affirming covenants contained in the indenture pursuant to which the wastewater revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121128 [Grant Application - 2012 U.S. Department of Housing and Urban Development Continuum of Care Program]**Sponsor: Mayor**

Resolution approving the 2012 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program and fulfilling the San Francisco Board of Supervisors review and approval process for all annual or otherwise recurring grants of \$5,000,000 or more.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121132 [Accept and Expend Grant - San Francisco Parks Alliance - \$870,355]**Sponsor: Chiu**

Resolution authorizing the Recreation and Park Department to accept and expend a grant of \$870,355 from the San Francisco Parks Alliance for the design and construction of a playground in Sue Bierman Park.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121133 [Accept and Expend Grant - FY2012 Homeland Security Grant Program - \$667,670]**Sponsor: Farrell**

Resolution authorizing the Department of Emergency Management to retroactively accept and expend a FY2012 Homeland Security Grant Program grant in the amount of \$667,670 from the United States Department of Homeland Security, through the California Emergency Management Agency, for building and sustaining preparedness capabilities for the period of October 12, 2012, through May 31, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121138 [Lease Termination Agreement - Downtown Parking Corporation - 833 Mission Street]

Resolution authorizing the termination of the lease agreement with the Downtown Parking Corporation and authorizing the Director of Transportation to execute a Lease Termination Agreement for property located at 833 Mission Street that will expire on December 31, 2012. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121134 [Permit Amendment - Outside Lands Music Festival - Eight Additional Years]

Sponsor: Mar

Resolution approving and authorizing an amendment to the Permit with Another Planet Entertainment for the production of the annual Outside Lands Music Festival to grant Another Planet Entertainment, LLC, eight additional years and increasing the capacity of the event to 75,000, providing for Another Planet Entertainment to pay the City increased Rent Payments, endow a gardener within the festival premises, and pay for materials and supplies to maintain the Polo Fields; making environmental findings; and ratifying prior actions.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Recommendations of the Land Use and Economic Development Committee**120434 [Police Code - Amendments to Junk Dealer and Junk Gatherer Permit Process]**

Sponsor: Cohen

Ordinance amending the San Francisco Police Code, Sections 974.1, 974.2, 974.4, 974.8, 974.9, 974.10-1, 974.11, 974.14-1, 974.14-2, 974.21, 974.22, 895, 2.26, 2.27, and repealing Sections 974.5, 974.6, 974.10-2, 974.23 and 896 through 898 to cause all existing junk dealer and junk gatherer permits to expire as of June 30, 2013, establish an annual permit for junk dealers with junk yards and a two-year permit for other junk dealers, provide for permit suspensions and revocations to remain in effect during any administrative appeal, amend the permit enforcement process, and update fees; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120880 [Planning Code - Valencia Street Neighborhood Commercial Transit District]

Sponsor: Campos

Ordinance amending the San Francisco Code, Section 726.52, of the Zoning Control Table, for the Valencia Street Neighborhood Commercial Transit District to permit a personal service use on the third story and above with a Conditional Use Authorization, and make environmental findings, Planning Code Section 302 findings, and findings of consistency with General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

120704 [Disapproving Street Encroachment - 10 Niantic Avenue]

Resolution upholding Department of Public Works' recommendation for disapproval and disapproving the application for a revocable encroachment permit to Lee Yun Ling & Cindy Zhou, for the occupancy of a portion of the public right-of-way for a new single family dwelling encroaching 3-feet into the public right-of-way at 10 Niantic Avenue (Assessor's Block No. 7178, Lot No. 001), under Article 15, Section 786.7 of the Public Works Code. (Public Works Department)

Supervisor Elsbernd, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 15, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole****121089 [Public Hearing to Acquire Temporary Construction Licenses for Various Real Properties by Eminent Domain for Central Subway/Third Street Light Rail Extension Project]**

Hearing of persons interested in or objecting to proposed Resolutions authorizing the acquisition of real properties commonly known as 1 Stockton Street #1 (File No. 121090), (Assessor's Parcel Block No. 0327, Lot No. 025); 1000-1032 Stockton Street #2 (File No. 121091), (Assessor's Parcel Block No. 0193, Lot No. 019); 1455 Stockton Street #3 (File No. 121092), (Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040); 19 Stockton Street #4 (File No. 121093), (Assessor's Parcel Block No. 0327, Lot No. 005); 212 Stockton Street #5 (File No. 121094), (Assessor's Parcel Block No. 0309, Lot No. 011); 216 Stockton Street #6 (File No. 121095), (Assessor's Parcel Block No. 0309, Lot No. 013); 250-4th Street #7 (File No. 121096), (Assessor's Parcel Block No. 3733, Lot No. 008); 39 Stockton Street #8 (File No. 121097), (Assessor's Parcel Block No. 0327, Lot No. 004); 801 Market Street #9 (File No. 121098), (Assessor's Parcel Block No. 3705, Lot No. 048A); 930 Stockton Street #10 (File No. 121099), (Assessor's Parcel Block No. 0210, Lot No. 047); 950 Stockton Street #11 (File No. 121100), (Assessor's Parcel Block No. 0210A, Lot Nos. 002-103) by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1.

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of various properties as referenced in File Nos. 121090, 121091, 121092, 121093, 121094, 121095, 121096, 121097, 121098, 121099, and 121100. John Funghi (Real Estate Department), provided an overview of the project and responded to questions raised throughout the discussion. Walter Paulson, shared in song certain concerns with the Board. There were no other speakers in support of the project or the associated proposed acquisitions. Mark Seifert (1000-1032 Stockton Street and 212 Stockton Street); spoke in opposition to the project and the associated proposed acquisitions. John Funghi (Real Estate Department) provided a rebuttal and responded to questions raised throughout the discussion. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

121090 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 025, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121091 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1000-1032 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1000-1032 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0193, Lot No. 019, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be **TABLED**. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121092 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 1455 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 1455 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0130, Lot Nos. 001 and 040, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121093 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 19 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 19 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 005, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121094 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 212 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 212 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 011, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121095 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 216 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 216 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0309, Lot No. 013, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121096 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 250-4th Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 250-4th Street, San Francisco, California, Assessor's Parcel Block No. 3733, Lot No. 008, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121097 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 39 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 39 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0327, Lot No. 004, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121098 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 801 Market Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 801 Market Street, San Francisco, California, Assessor's Parcel Block No. 3705, Lot No. 048A, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121099 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 930 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 930 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210, Lot No. 047, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

Supervisor Campos, seconded by Supervisor Cohen, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121100 [Acquisition of a Temporary Construction License by Eminent Domain - Central Subway/Third Street Light Rail Extension - 950 Stockton Street]

Resolution authorizing the acquisition of a temporary construction license at the real property commonly known as 950 Stockton Street, San Francisco, California, Assessor's Parcel Block No. 0210A, Lot Nos. 002-103, by eminent domain for the public purpose of constructing the Central Subway/Third Street Light Rail Extension and other improvements; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and City Planning Code Section 101.1. (Municipal Transportation Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

SPECIAL ORDER 3:00 P.M.**121154 [Seniority Lottery]**

Lottery to determine the seniority of the newly elected Members of the Board of Supervisors scheduled for the regularly scheduled Board Meeting of Tuesday, December 11, 2012, at 3:00 p.m., pursuant to Board Rule 6.21.

Rick Caldeira, Legislative Deputy Director, provided an overview of the process. Mr. Caldeira continued by reading the names of the Supervisors-elect. Derek Evans, Assistant Committee Clerk, placed the envelopes in the drum, locked the drum, and spun it around. One by one envelopes were drawn and names were read into the record as follows:

*Supervisor-elect Norman Yee
Supervisor-elect London Breed*

Therefore, beginning January 8, 2013, at 12 noon the following order will be the official order of seniority of all continuing and newly elected Board members:

*Supervisor Carmen Chu
Supervisor David Campos
Supervisor Eric Mar
Supervisor John Avalos
Supervisor and current Board President David Chiu
Supervisor Mark Farrell
Supervisor Malia Cohen
Supervisor Scott Wiener
Supervisor Jane Kim
Supervisor Norman Yee
Supervisor London Breed*

Mr. Caldeira concluded by indicating that seniority determines the order of polling Board Members for the assignment of offices, parking spaces, seats in this Legislative Chamber, and for the appointments to compensated and non-compensated commission positions. There were no further actions.

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Elsbernd was noted absent at 3:45 p.m. and noted present at 3:55 p.m.

Supervisor Cohen was noted absent at 3:52 p.m. and noted present at 4:02 p.m.

Privilege of the Floor

Supervisor Cohen, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to State Assemblymember and Former Supervisor Fiona Ma in recognition of her accomplishments and continued community support. Supervisors Kim, Chiu, and Chu shared in this recognition.

Supervisor Elsbernd introduced, welcomed, and presented Certificates of Honor to Na Fianna Hurling Club and the Ulster Gaelic Football Club of the the San Francisco Gaelic Games Clubs in recognition of their accomplishments and continued community support.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Sam Adato's Drum Shop in recognition of their accomplishments and continued community support.

President Chiu presented a Certificate of Honor to Supervisor Olague in recognition of her distinguished service as a Member of the San Francisco Board of Supervisors. Supervisors Campos, Farrell, Mar, Avalos, Kim, Wiener, Cohen, Chu, and Elsbernd shared in her commendation.

President Chiu presented a Certificate of Honor to Supervisor Elsbernd in recognition of his distinguished service as a Member of the San Francisco Board of Supervisors. Supervisors Wiener, Farrell, Cohen, Kim, Campos, Chu, Mar, Olague, and Avalos shared in his commendation.

Supervisor Mar was noted absent at 5:04 p.m., and noted present at 5:30 p.m.
Supervisor Elsbernd was noted absent at 5:16 p.m., and noted present at 5:29 p.m.
Supervisor Farrell was noted absent at 5:35 p.m., and noted present at 5:43 p.m.
Supervisor Elsbernd was noted absent at 5:49 p.m., and noted present at 6:02 p.m.

SPECIAL ORDER 4:00 P.M.

121118 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Hearing of persons interested in or objecting to the Planning Department's determination dated October 4, 2012, Case No. 2011.0836E, that the San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project is exempt from environmental review under the California Environmental Quality Act (CEQA), Classes 1 and 4 (State CEQA Guidelines Sections 15301(c) 15304(h)). The proposed work involves removing parking lanes and adding bike lanes, as well as other related changes to Fell and Oak Streets between Baker and Scott Streets. (District 5) (Appellants: Mark Brennan, Howard Chabner, and Ted Loewenberg) (Filed November 2, 2012).

The President inquired as to whether any member of the public wished to address the Board. Mari Sessman, Ted Loewenberg, and Howard Chabner (Appellants); provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Walter Paulson; JJ Dillon; Male Speaker; Dan Cooley; Amil; Willit; Emil; Steve; Wendy Cook; Raheim Awhal; spoke in support of the appeal. Brett Bollinger (Planning Department) provided an overview of the decision of the Planning Department. Luis Montoya (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Lawrence Lee; Elizabeth Stamp; Jason Henderson; Morgan Fitzgibbons; spoke in support of the project and in opposition to the appeal. Mark Brannon (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

121119 [Affirming the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review. (Clerk of the Board)

Motion No. M12-146

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121120 [Reversing the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121121 [Preparation of Findings to Reverse the Exemption Determination - San Francisco Municipal Transportation Agency's Fell and Oak Streets Bikeways Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the San Francisco Municipal Transportation Agency's (SFMTA) Fell and Oak Streets Bikeways Project is exempt from environmental review.

Supervisor Olague, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

COMMITTEE REPORTS

Recommendations of the Rules Committee

121141 [Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Theodore Ellington]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Theodore Ellington to the Commission on Community Investment and Infrastructure, seat 1, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-141

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121142 [Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Marily Mondejar]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Marily Mondejar to the Commission on Community Investment and Infrastructure, seat 2, for the unexpired portion of a two-year term ending November 3, 2014.

Motion No. M12-142

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121143 [Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Christine Johnson]

Sponsor: Mayor

Motion confirming the Mayor's appointment of Christine Johnson to the Commission on Community Investment and Infrastructure, seat 3, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-143

APPROVED by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121144 [Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Mara Rosales]**Sponsor: Mayor**

Motion confirming the Mayor's appointment of Mara Rosales to the Commission on Community Investment and Infrastructure, seat 4, for the unexpired portion of a two-year term ending November 3, 2014.

Motion No. M12-144**APPROVED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

121145 [Appointment, Successor Agency Commission (Commonly Known as Commission on Community Investment and Infrastructure) - Darshan Singh]**Sponsor: Mayor**

Motion confirming the Mayor's appointment of Darshan Singh to the Commission on Community Investment and Infrastructure, seat 5, for the unexpired portion of a four-year term ending November 3, 2016.

Motion No. M12-145**APPROVED by the following vote:**

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

Referred Without Recommendation from the Land Use and Economic Development Committee**121168 [Street Encroachment - 54 Peralta Avenue]****Sponsor: Chiu**

Resolution granting revocable permission to Aquilina Family 2001 Revocable Trust to occupy a portion of the public right-of-way to remove and reconstruct a portion of a City owned and maintained retaining wall to construct a concrete driveway ramp, with accessible transition slopes to conform to the existing sidewalk grade, that will provide vehicular access to a proposed new residence with a garage at 54 Peralta Avenue (Assessor's Block No. 5512, Lot No. 029), conditioned upon the payment of an annual assessment fee of \$215; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Supervisor Campos, seconded by Supervisor Mar, moved that this Resolution be RE-REFERRED to the Land Use and Economic Development Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Supervisor Elsbernd was noted absent at 6:22 p.m., and noted present at 6:32 p.m.
Supervisor Farrell was noted absent at 6:23 p.m., and noted present at 6:33 p.m.
Supervisor Mar was noted absent at 6:28 p.m. for the remainder of the meeting.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Colleen Fernald; expressed concerns relating to political abuse of power.
Tom Gilberty; expressed various concerns relating to noise pollution.
Former Supervisor Bevan Dufty; regarding departing Supervisor Elsbernd.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; regarding Sheriff Ross Mirkarimi.
Female Speaker; regarding departing Supervisor Olague.
Male Speaker; regarding departing Supervisor Olague.
Barbara Tengen; regarding departing Supervisor Olague.
Male Speaker; regarding the SF Public Library.
Ron Austin; regarding MTA service cuts.
Victor Riego; regarding drunk driving.
Male Speaker; regarding MTA service cuts.
Douglas Yep; regarding departing Supervisor Olague and other concerns.
Otto Duffy; expressed various concerns.
Former Supervisor Willie Kennedy; regarding the Successor Agency and departing Supervisors Elsbernd and Olague.
Male Speaker; expressed various concerns.
Male Speaker; regarding mobile food trucks.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

121148 [Final Map 6901 - 1190 Mission Street]

Motion approving Final Map 6901, a 2 Lot Subdivision and a 418 Residential Unit and 2 Commercial Unit Mixed-Use Condominium Project, located at 1190 Mission Street being a subdivision of Assessors Block No. 3702, Lot No. 308, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M12-147

APPROVED

121171 [Apply for Grants - Anti Drug Abuse Program Allocation Funds]

Sponsor: Mayor

Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections.

ADOPTED

121172 [Commemoration of Roe V. Wade Anniversary]

Sponsors: Campos; Cohen and Mar

Resolution commemorating the 40th anniversary of Roe v. Wade and commending the work of pro-choice advocates and service providers in the City and County of San Francisco.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

121173 [Commending Supervisor Sean R. Elsbernd]

Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Farrell, Kim, Mar, Olague and Wiener
Resolution commending and honoring Supervisor Sean R. Elsbernd for his distinguished service as a Supervisor of the City and County of San Francisco.

ADOPTED

121174 [Urging the United States Congress to Fund the Special Diabetes Program - 2014 to 2016]

Sponsors: Cohen; Chiu and Mar

Resolution urging the United States Congress to renew and fully fund the Special Diabetes Program for 2014 to 2016.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

121175 [Multifamily Housing Revenue Bonds - 5800 Third Street]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$26,000,000 for the property currently known as 5800 Third Street, , San Francisco, California 94124; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$26,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as, defined herein).

ADOPTED

121176 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue]**Sponsor: Elsbernd**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$20,000,000 for 1100 Ocean Avenue, (Assessor's Parcel No. 3180- (portion of) Lot No. 1, San Francisco, California 94112); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage bonds by the City in an aggregate principal amount not to exceed \$20,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as, defined herein).

ADOPTED**121177 [Approval of a 30-Day Extension for Planning Commission Review of Establishing the Fillmore Street Neighborhood Commercial District (File No. 120814)]****Sponsor: Olague**

Resolution extending by 30 days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 120814) amending the San Francisco Planning Code by adding Section 744.1 to establish the Fillmore Street Neighborhood Commercial District along Fillmore Street between Bush and Fulton Streets, amending Section 151.1, a portion of Table 151.1, Section 263.20, and Section 607.1(f) to make conforming and other technical changes, amending Sheets ZN02 and ZN07 of the Zoning Map to rezone specified properties to the Fillmore Street Neighborhood Commercial District, and adopting environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

ADOPTED**121181 [Commending Supervisor Christina Olague]****Sponsors: Chiu; Avalos, Campos, Chu, Cohen, Elsbernd, Farrell, Kim, Mar and Wiener**

Resolution commending and honoring Supervisor Christina Olague for her commitment to public service as a Supervisor of the City and County of San Francisco.

ADOPTED**121182 [Request for Proposals - Budget and Legislative Analysts Services]**

Motion directing the Clerk of the Board to initiate a Request for Proposals process for Budget and Legislative Analyst services. (Clerk of the Board)

Motion No. M12-148**APPROVED**

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Olague, Wiener

Absent: 1 - Mar

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced by the President at the Request of a Department

PROPOSED ORDINANCES

121183 [Encroachment, Public Service Easements and Vacations, Infrastructure - 8 Washington Street]

Ordinance approving an Encroachment Permit for San Francisco Waterfront Partners II, LLC, its successors and assigns (collectively, "Developer") related to the construction and use of various public improvements affecting existing and future public right-of-ways on, under or adjacent to property located at 8 Washington Street/Seawall Lot 351, Assessor's Block No. 0168/Lot No. 058, Block No. 0171/Lot No. 069, and Block No. 0201/Lot Nos. 012-013 (including Seawall Lot 351) (the "8 Washington Development Site") and portions of Washington Street, Drumm Street and The Embarcadero; accepting offers of public improvements for park and open space purposes among other uses on portions of the 8 Washington Development Site; ordering the summary vacation of certain public service easements benefitting various City departments located in, on or under portions of the 8 Washington Development Site, subject to conditions; accepting Department of Public Works Order; accepting and approving a relocated SFPUC Jackson Street sewer easement, a relocated SFPUC Drumm Street sewer easement, a new sewer easement across a portion of Seawall Lot 351, and a new easement for the SFPUC's underground vault structure located along The Embarcadero; approving an agreement with the Developer regarding coordination of the Project with SFPUC's facilities and North Shore to Channel Force Main Project; making environmental findings and findings of consistency with the City's General Plan and the eight priority policy findings of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Port)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/10/2013.

PROPOSED RESOLUTIONS

121184 [Lease Agreement - Japan Center Garage Corporation - Japan Center Public Parking Garage]

Resolution approving a lease agreement between the City and County of San Francisco and the City of San Francisco Japan Center Garage Corporation for the Japan Center Public Parking Garage with an initial term of 10 years with two 5-year options.

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121185 [Lease Agreement - Uptown Parking Corporation - Sutter Stockton Public Parking Garage]

Resolution approving a lease agreement between the City and County of San Francisco and the City of San Francisco Uptown Parking Corporation for the Sutter Stockton Public Parking Garage with an initial term of 10 years with two 5-year options. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121186 [Feeder Agreement - BART]

Resolution retroactively approving the Feeder Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District for payment for transfer trips, with a term from July 1, 2010, to June 30, 2020. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

121187 [Agreement - Use of Fast Pass® on BART]

Resolution approving the Special Transit Fare (Fast Pass®) Agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, with a term from January 1, 2010, to June 30, 2018. (Municipal Transportation Agency)

12/03/12; RECEIVED FROM DEPARTMENT.

12/11/12; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:50 p.m.

3-1736

